 A National Perspective  
from the Court Statistics Project

[www.courtstatistics.org](http://www.courtstatistics.org)



## Examining the Work of State Courts, 2007

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A National Perspective from the Court Statistics Project

*Edited by*

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A joint project of the Conference of State Court Administrators, the Bureau of Justice Statistics,  
and the National Center for State Courts.



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## Acknowledgments

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The Court Statistics Project is made possible by the continued support of state court administrators, trial court managers, appellate court clerks, and their staff. We owe a special debt of gratitude to the staff members of the administrative offices of the courts and of the appellate courts who serve as liaisons between their offices and the Court Statistics Project and who continuously seek to improve the quality, depth, and consistency of their state court data.

This year, a number of states made significant improvements in the level of detail provided by their trial courts. The enhancements to this data come as a result of implementing the data definitions, counting rules, and reporting framework published in the *State Court Guide to Statistical Reporting*. In some cases, states have taken advantage of new case management systems to make the change, while in others substantial effort has been made to reprogram existing systems to provide more meaningful statistics. These changes range from reporting additional case types to changing the method of counting criminal cases to distinguishing reopened and reactivated cases from new filings. In some instances, these changes applied to all the trial courts, while in others specific efforts were made in particular courts (e.g., district, circuit, juvenile, municipal).

We would like to acknowledge the work of the offices of the state court administrator in the following states for their important data improvement efforts: Iowa (criminal, domestic relations, juvenile), Kansas (civil, criminal, juvenile, traffic/ordinance), Minnesota (criminal, domestic relations), Montana (civil, criminal, traffic/ordinance), Nebraska (civil, criminal, domestic relations, traffic/ordinance), Ohio (domestic relations), South Dakota (civil, juvenile), Tennessee (domestic relations, traffic/ordinance), Wisconsin (juvenile), and Utah (criminal, juvenile). Both Oklahoma and Wyoming resumed reporting to the CSP for the first time in several years, and we appreciate their renewed commitment to reporting their caseload data.

The content and design of all reports and the Court Statistics Project Web site are guided by the members of the Court Statistics Committee of the Conference of State Court Administrators (COSCA). The committee members have given generously of their time, talent, and experience, and their participation has been invaluable to project staff.

The Court Statistics Project is funded through a cooperative agreement with the Bureau of Justice Statistics (BJS). The authors wish to acknowledge the review and constructive comments provided by Thomas Cohen and Lynn Langton at BJS.

Special thanks to Neal Kauder of VisualResearch, Inc., for his innovative information design and to Judith Sullivan Phillips who skillfully created these pages and managed the printing.

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## Foreword

The Court Statistics Project (CSP) provides the most comprehensive, up-to-date information regarding the nation's state courts through its annual publications, *Examining the Work of State Courts* and *State Court Caseload Statistics*. These reference works are supplemented by the *Caseload Highlights* series. All these publications are available at the Court Statistics Project's Web site, [www.courtstatistics.org](http://www.courtstatistics.org).

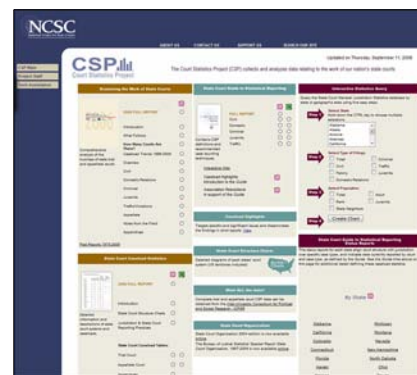
The purpose of *Examining the Work of State Courts* is to provide a concise, graphically oriented volume that makes state court statistics highly accessible. *Examining the Work of State Courts* has been designed to be interactive, giving the reader on-line access in its interactive PDF version to information that cannot reasonably be included in the text of the document. The links provided in this format encourage the use of the Web and provide the reader with additional resources that help to facilitate the understanding of the work of state courts.

*State Court Caseload Statistics* is a discrete reference volume, containing structure charts, statewide aggregate caseload data and reporting practices, population trends, and a detailed explanation of the Court Statistics Project methodology. *State Court Caseload Statistics* is exclusively available in electronic format on the Web at [www.courtstatistics.org](http://www.courtstatistics.org). The nature of that data also allows taking full advantage of Web publishing to make it more accessible to those who want to obtain and utilize the data, rather than view tables on a printed page.

The *Caseload Highlights* series continues to provide short, periodic reports on specific and significant issues. The Court Statistics Project recognizes that informed judges and court managers want information on a range of policy-relevant topics, and want it in a timely fashion and in a condensed, readable format.

These publications are developed through a cooperative agreement and generous support from the Bureau of Justice Statistics (BJS), Office of Justice Planning at the U.S. Department of Justice.

Detailed descriptive information on court structure is provided by another National Center for State Courts (NCSC) and



NCSC Court Statistics Project Home Page  
[www.courtstatistics.org](http://www.courtstatistics.org)

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**Foreword, continued**

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BJS joint project, *State Court Organization*. Topics covered include: the number of courts and judges; judicial selection; jury qualifications and verdict rules; and processing and sentencing procedures of criminal cases. Court structure diagrams summarize the key features of each state's court organization. The 2004 edition is available through BJS and at [www.ojp.usdoj.gov/bjs/abstract/sco04.htm](http://www.ojp.usdoj.gov/bjs/abstract/sco04.htm).

Finally, the CSP continues to promote the implementation and use of the *State Court Guide to Statistical Reporting* (hereafter referred to as the *Guide*). Developed with support from the State Justice Institute and with close guidance from the Conference of State Court Administrators' Court Statistics Committee, the *Guide* is a tool for improving court administration by providing a national model for data reporting with concise descriptions and definitions of case types and disposition types, as well as a standardized framework in which to report these categories. The *Guide* is available in PDF on the NCSC Web site at [www.courstatistics.org](http://www.courstatistics.org).

## Table of Contents

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Glossary of Terms .....	8
What Follows: A Print and Electronic Document Design.....	9
Overview .....	11
Civil Caseloads .....	17
Domestic Relations Caseloads .....	29
Criminal Caseloads .....	37
Juvenile Caseloads.....	47
Traffic/Violations Caseloads.....	55
Appellate Caseloads.....	61
Appendices .....	69
Index of States Included in Section Graphics .....	70
Court Statistics Project Methodology.....	76
State Court Caseload Statistics, 2007.....	77
CourTools .....	78



## **Glossary of Terms**

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The terms below are used throughout *Examining the Work of State Courts, 2007* and are defined here to aid in the understanding of the following analyses. For additional definitions of items such as case type and unit of count, please refer to the *State Court Guide to Statistical Reporting*.

**Begin Pending - Active:** A count of cases that, at the start of the reporting period, are awaiting disposition.

**Begin Pending - Inactive:** A count of cases that, at the start of the reporting period, have been administratively classified as inactive. Business rules for this classification may be defined by court administrative rule or order.

**Incoming Cases:** The sum of all Newly Filed, Reopened, and Reactivated cases counted during the reporting period.

- **New Filing:** A count of cases that have been filed with the court for the first time during the reporting period.
- **Reopened:** A count of cases in which a judgment has previously been entered but which have been restored to the court's pending caseload during the reporting period. These cases come back to the court due to the filing of a request to modify or enforce that existing judgment and a hearing before a judicial officer is convened to review the status of the case.
- **Reactivated:** A count of cases that had previously been placed in an inactive pending status, but for which further court proceedings and activities have been resumed during the reporting period so that the case can proceed to disposition.

**Outgoing Cases:** The sum of all Entries of Judgment, Reopened Dispositions, and Placed on Inactive Status cases counted during the reporting period.

- **Entry of Judgment:** A count of cases for which an original entry of judgment has been filed during the reporting period. For cases involving multiple parties/issues, the manner of disposition should not be reported until all parties/issues have been resolved.
- **Reopened Disposition:** A count of cases that were disposed of by a modification to, and/or enforcement of, the original judgment of the court during the reporting period. For cases involving multiple parties/issues, the manner of disposition should not be reported until all parties/issues have been resolved.
- **Placed on Inactive Status:** A count of cases whose status has been administratively changed to inactive during the reporting period. In these cases the court will take no further action until an event restores the case to the court's active pending caseload.

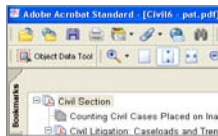
**End Pending - Active:** A count of cases that, at the end of the reporting period, are awaiting disposition.

**End Pending - Inactive:** A count of cases that, at the end of the reporting period, have been administratively classified as inactive. Business rules for this classification may be defined by court administrative rule or order.

**Set for Review:** A count of cases that, following an initial Entry of Judgment during the reporting period, are awaiting regularly scheduled reviews involving a hearing before a judicial officer.

## What Follows: A Print and Electronic Document Design

For the third year, *Examining the Work of State Courts (EWSC)* is being published in both a print and electronic format. By closely aligning their designs, the printed and electronic documents provide the user with an efficient on-line experience by delivering an interactive and seamless transition from one reading platform to another. The user still has complete access to the printed document, but also has a portable electronic PDF document that gives instant access to underlying data and links to external resources that give broader context to traditional Court Statistics Project data analysis. The added functionality will be seen by readers through special symbols and icons on *EWSC* pages (in both printed and PDF formats). Features and the corresponding navigation aides are as follows:



**Bookmarks** – a listing of section headings, tables, and charts located in a separate window on the left side of the electronic (pdf) file which allows quick and efficient navigation throughout the document.



**Data Icon** – clicking the 'Excel' icon opens a file containing the raw data for the graphic.

### ● **BJS Resource**

Bureau of Justice Statistics  
Criminal Case Processing Statistics  
[www.ojp.usdoj.gov/bjs/cases.htm](http://www.ojp.usdoj.gov/bjs/cases.htm)

**Hot Tabs** – clicking a 'hot tab' takes the user to a pre-programmed Web site destination. Six types of hot tabs have been designed for *EWSC*: On the Web, Statistical Guide, CSP Resource, NCSC Resource, BJS Resource, and CourTools. Web site destinations listed on the hot tabs are designed to expand upon subject material being discussed within the document.

*State Court Guide to  
Statistical Reporting  
or Guide*

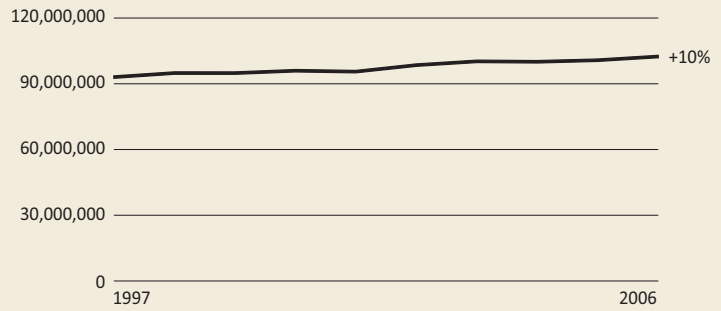
**Hot Links** – integrated into the text with programmed Web site destinations. Hot links are indicated by red type and supplement the subject being discussed.

● **Electronic Feature Indicator** – most interactive electronic features in the document are indicated by a red line, which allows the user to see the location of clickable navigation features when browsing through a document.

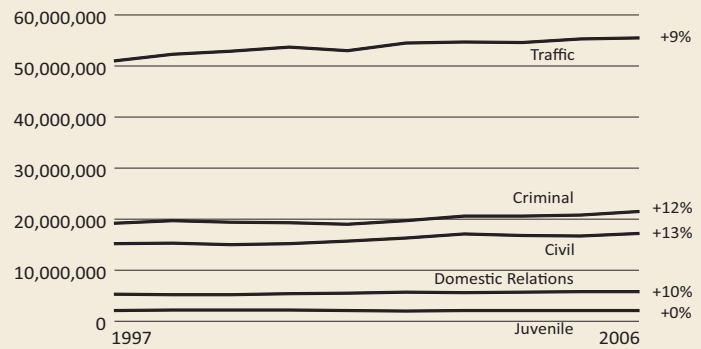


# Overview

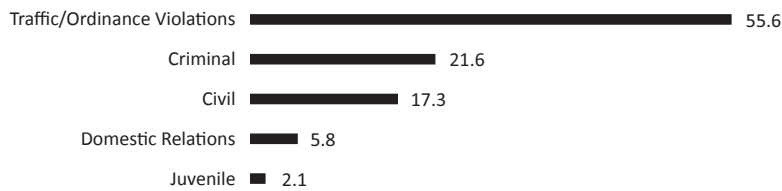
 **Total Incoming Cases in State Courts, All States, 1997 - 2006**



 **Total Incoming Cases in State Courts, by Case Category, 1997 - 2006**



The states displayed in this section are included because the data shown are comparable and conform closely to the criteria defined in the *State Court Guide to Statistical Reporting*.

**Incoming Caseload Composition in State Courts, 2006** (in millions)

The aggregate number of newly filed, reopened, and reactivated cases reported to the Court Statistics Project from the nation's state courts reached a record high 102.4 million incoming cases in 2006. This total is largely due to higher volumes of civil and criminal caseloads, each of which rose about 3.5 percent between 2005 and 2006.

Most (54 percent) of the 102.4 million cases fall under the traffic category, which captures non-criminal traffic and local ordinance violations. However, many of the remaining civil, domestic relations, criminal, and juvenile cases, though fewer in number, are often more resource intensive for the courts to process and adjudicate.

To further disaggregate the national trial court caseload, it is useful to separate the unified courts' caseloads from those of general jurisdiction and limited jurisdiction courts. In the states with a unified trial court system, there is only one level of trial court in which to file a case. In two-tiered systems, the same case may be counted twice in these aggregated, national statistics. For example, a felony case may be initially filed in a court of limited jurisdiction, and a preliminary hearing in that court may result in the case being bound over to the court of general jurisdiction. This would result in the case being counted twice, which demonstrates some potential notable differences between unified court data and data from two-tiered systems.



National Center for State Courts  
State Court Structure Charts

[http://www.ncsconline.org/D\\_Research/Ct\\_Struct/](http://www.ncsconline.org/D_Research/Ct_Struct/)

The adjacent table provides the number of incoming cases in each of the five major case categories by the type of jurisdiction. The difference in case volume between courts of general jurisdiction and courts of limited jurisdiction is readily apparent. The number of cases in courts of limited jurisdiction is almost five times that of the courts of general jurisdiction. Even if considering only the non-traffic cases, the courts of limited jurisdiction still process twice as many cases as do the courts of general jurisdiction.

The total number of judicial officers in state courts has risen about 5 percent in the last 10 years. While unified and general jurisdiction courts have seen an increase of 15 percent over that period, limited jurisdiction courts report a slight (1 percent) decrease. That decline is misleading. When California completed the process of unifying its trial courts in 1999, limited jurisdiction Municipal Court judges became general jurisdiction Superior Court judges. Since 1999, the number of judicial officers in limited jurisdiction courts has increased by 508 (3 percent).



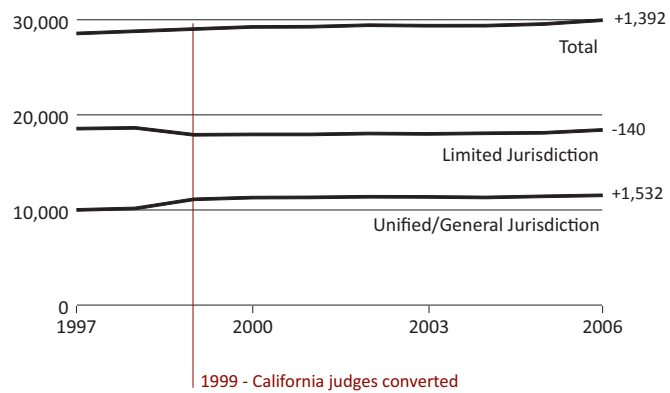
**Total Incoming Cases in State Courts, by Jurisdiction, 2006** (in millions)

Case Type	Jurisdiction				Total
	Unified	General	Unified/General	Limited	
Traffic	12.3	1.8	14.1	41.5	55.6
Criminal	3.3	3.2	6.5	15.0	21.6
Civil	3.0	4.6	7.6	9.7	17.3
Domestic Relations	1.0	3.2	4.2	1.6	5.8
Juvenile	0.4	1.0	1.4	0.7	2.1
<b>All Cases</b>	<b>20.0</b>	<b>13.8</b>	<b>33.9</b>	<b>68.6</b>	<b>102.4</b>

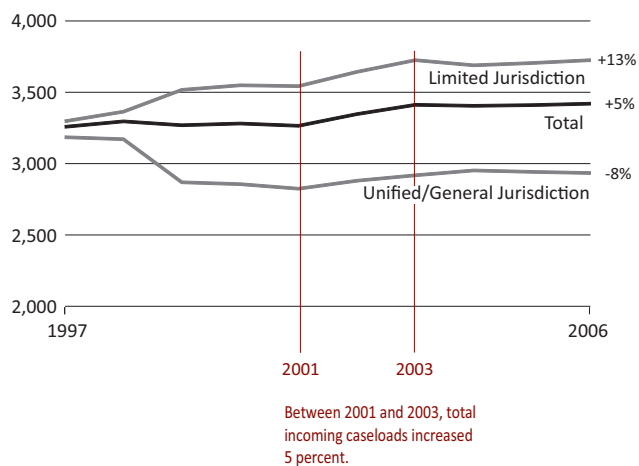
States: all 50 states + DC + Puerto Rico



**Judicial Officers in General and Limited Jurisdiction Courts, 1997-2006**



 **Incoming Cases per Judicial Officer, by Jurisdiction, 2006**



Another metric by which to examine state court activity is through the average number of incoming cases per judicial officer. The chart on the left reveals that the 5 percent increase in total incoming cases between 2001 and 2003 also resulted in a 5 percent increase in the number of incoming cases per judicial officer, as their numbers remained essentially unchanged during that period. The increase between 2001 and 2003 was unusual because total incoming caseloads typically increase at a rate of just over 1 percent a year. The average annual growth rate of judicial officers is 0.5 percent per year.

The adjacent table shows the total number of full-time general jurisdiction court judges, judges per 100,000 population, incoming non-traffic cases per judge, and the state's population rank. States with unified courts are again grouped separately from two-tiered court systems to help illustrate the differences between the two systems. The median rate of judges per 100,000 state residents in unified courts is roughly twice that of general jurisdiction judges in two-tiered court systems, which is not surprising since judges in unified courts can hear a composition of cases more comparable to a combined limited and general jurisdiction caseload elsewhere. Also interesting is the range of non-traffic cases per judge, with a low of 360 non-traffic cases per full-time general jurisdiction court judge in Massachusetts to a high of 4,374 non-traffic cases per judge in South Carolina.


**Full-Time Judges in Unified and General Jurisdiction Courts, 2006**

State	Number of Full-time Judges			Population Rank
	Total	Per 100,000 Population	Incoming Non-Traffic Cases per Judge	
<b>Unified Courts</b>				
South Dakota	39	4.9	2,785	47
North Dakota	42	6.6	2,276	49
Connecticut	180	5.1	2,267	30
California	1,498	4.1	2,195	1
Kansas	161	5.8	2,192	34
Wisconsin	241	4.3	2,045	20
Missouri	334	5.7	1,971	18
District of Columbia	59	10.1	1,936	51
Iowa	195	6.6	1,550	31
Illinois	868	6.8	1,503	5
Minnesota	281	5.5	1,271	21
Puerto Rico	326	8.6	734	27
<b>Median</b>		<b>5.8</b>	<b>2,008</b>	
<b>General Jurisdiction Courts</b>				
South Carolina <sup>1</sup>	46	1.1	4,374	24
North Carolina <sup>1</sup>	109	1.2	3,299	10
New Jersey	406	4.7	3,102	11
Maine	49	3.7	2,657	41
Indiana	303	4.8	2,608	15
Oklahoma	240	6.7	2,574	29
Florida	564	3.1	2,465	4
New Hampshire	22	1.7	2,365	42
Utah <sup>2</sup>	71	2.8	2,302	35
Texas	432	1.8	2,275	2
Nevada	60	2.4	2,166	36
Ohio	387	3.4	2,105	7
Tennessee <sup>2</sup>	154	2.5	2,000	17
Oregon	174	4.7	1,957	28
Vermont	32	5.2	1,836	50
Georgia <sup>2</sup>	197	2.1	1,829	9
Arkansas	115	4.1	1,828	33
Virginia <sup>2</sup>	157	2.1	1,828	12
Maryland	153	2.7	1,822	19
Washington	176	2.8	1,685	14
Pennsylvania	434	3.5	1,664	6
Arizona	166	2.7	1,620	16
Louisiana	231	5.4	1,616	25
Michigan	221	2.2	1,530	8
Alabama	144	3.1	1,481	23
New Mexico	88	4.5	1,357	37
Delaware <sup>1</sup>	19	2.2	1,318	46
Colorado	150	3.1	1,271	22
Kentucky	145	3.4	1,132	26
New York <sup>2</sup>	514	2.4	1,075	3
Hawaii	45	3.5	975	43
Montana	44	4.6	951	45
Nebraska <sup>2</sup>	55	3.1	752	39
West Virginia	65	3.6	738	38
Alaska	34	5.0	712	48
Rhode Island <sup>1</sup>	22	2.1	706	44
Idaho	40	2.7	524	40
Mississippi <sup>1</sup>	51	1.8	445	32
Massachusetts <sup>1</sup>	82	1.3	360	13
<b>Median</b>		<b>3.1</b>	<b>1,685</b>	

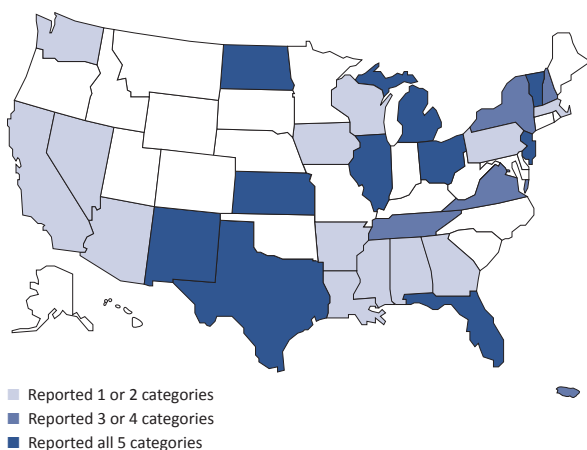
<sup>1</sup> These states do not have domestic relations or juvenile jurisdiction in their general jurisdiction courts.

<sup>2</sup> These states do not have domestic relations jurisdiction in their general jurisdiction courts.

Note: Wyoming did not provide general jurisdiction court data for 2006



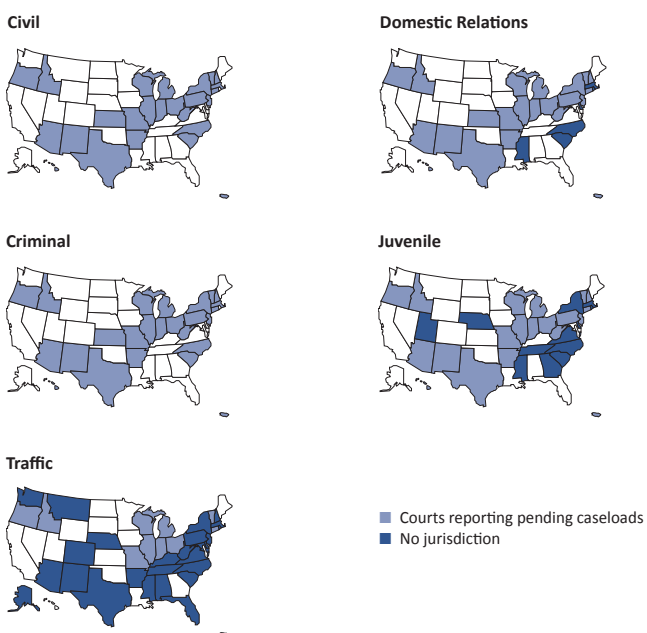
**States That Reported Reopened/Reactivated Caseloads in One or More Case Categories, 2006**



In recognition of the significant amount of post-disposition work required for some types of cases, the Court Statistics Project has begun an effort to collect the number of reopened and reactivated cases in addition to the number of newly filed cases in state courts each year. A reopened case is an unanticipated return of a case to the court's docket after an initial entry of judgment, usually to modify or enforce a judgment. A case is reactivated following placement on inactive status in order to resume the process of disposing the case.

In 2006, 29 states were able to report reopened and/or reactivated caseloads in at least one case category, and 10 states were able to report these cases in all five of the major categories. The adjacent map shows which states reported reopened and/or reactivated cases as well as the number of major case categories in which these cases were reported.

**General Jurisdiction Courts Reporting Pending Caseloads, 2006**

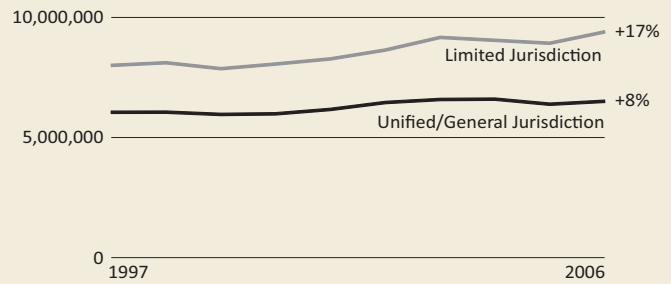


A court's pending caseload reflects its inventory of cases awaiting disposition. The *State Court Guide to Statistical Reporting* recommends that pending caseloads be separated into those that are moving toward a disposition (active) and those that have ceased moving toward a disposition due to circumstances beyond the court's control (inactive). As most states are presently unable to make this distinction, pending caseloads reported here can include cases in either status.

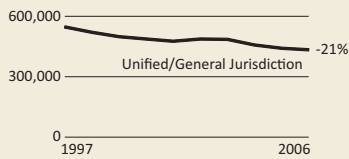
Through the use of shading, the five maps shown here indicate which states' general jurisdiction courts reported a pending caseload in each of the five major case categories. Twenty-two general jurisdiction courts provided pending caseload data for all of the major case categories over which they have jurisdiction.

# Civil Caseloads

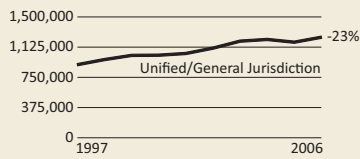
**Total Incoming Civil Caseloads in Selected States, 1997 - 2006**



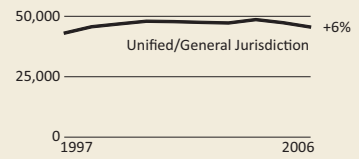
**TORT**



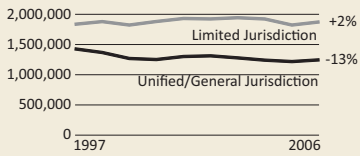
**CONTRACT**



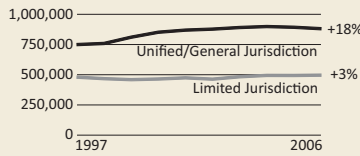
**REAL PROPERTY**



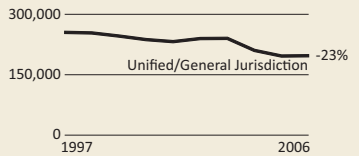
**SMALL CLAIMS**



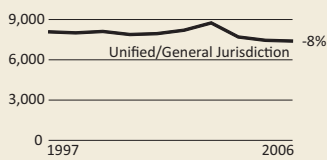
**PROBATE/ESTATE**



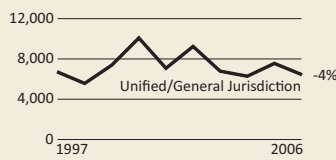
**AUTO TORT**



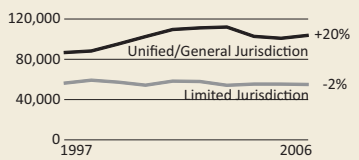
**MEDICAL MALPRACTICE**



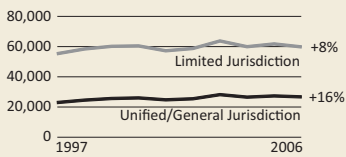
**PRODUCT LIABILITY**



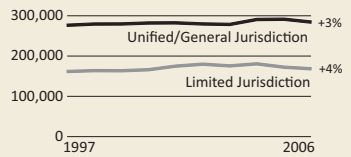
**GUARDIANSHIP**



**CONSERVATORSHIP / TRUSTEESHIP**



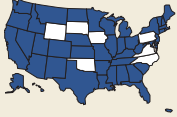
**PROBATE / WILLS / INTESTATE**



The states displayed in this section are included because the data shown are comparable and conform closely to the criteria defined in the *State Court Guide to Statistical Reporting*.

States included on previous page trend lines.

**Total Incoming Civil Caseloads**



Unified/General Jurisdiction  
45 states



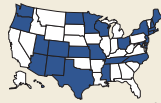
Limited Jurisdiction  
35 states

**TORT**



Unified/General Jurisdiction  
34 states

**CONTRACT**



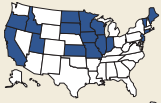
Unified/General Jurisdiction  
27 states

**REAL PROPERTY**



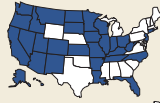
Unified/General Jurisdiction  
21 states

**SMALL CLAIMS**



Unified/General Jurisdiction  
19 states

**PROBATE/ESTATE**



Unified/General Jurisdiction  
33 states



Limited Jurisdiction  
12 states

**AUTO TORT**



Unified/General Jurisdiction  
17 states

**MEDICAL MALPRACTICE**



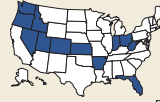
Unified/General Jurisdiction  
9 states

**PRODUCT LIABILITY**



Unified/General Jurisdiction  
9 states

**GUARDIANSHIP**



Unified/General Jurisdiction  
16 states



Limited Jurisdiction  
9 states

**CONSERVATORSHIP/TRUSTEESHIP**

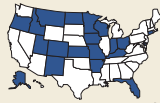


Unified/General Jurisdiction  
15 states



Limited Jurisdiction  
5 states

**PROBATE/WILLS/INTESTATE**



Unified/General Jurisdiction  
21 states



Limited Jurisdiction  
9 states

The adjacent table presents population-adjusted civil caseloads in the 32 states reporting incoming civil caseloads for all courts handling civil cases. Of these jurisdictions, only the District of Columbia reported more than 10,000 incoming civil cases per 100,000 population. The high population-adjusted rate of civil litigation in the District of Columbia is likely influenced by its unique status as an entirely urban jurisdiction.

 **Incoming Civil Caseloads in 32 States, 2006**

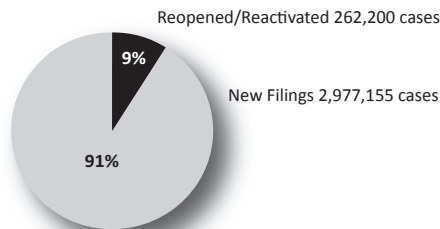
State	Incoming Civil Cases per 100,000 Population	Total Incoming Civil Cases	Proportion of Incoming Civil Caseload	
			General Jurisdiction	Limited Jurisdiction
<b>District of Columbia</b>	13,096	76,674	100%	n/a
New Jersey	9,616	833,306	99	1
Indiana	7,559	476,441	80	20
Ohio	7,306	837,478	33	67
South Carolina	7,040	304,829	26	74
<b>Connecticut*</b>	6,978	243,933	64	36
Delaware	6,860	58,500	26	74
<b>Kansas</b>	6,610	182,151	100	n/a
Colorado	6,226	296,765	26	74
Idaho	5,673	83,041	9	91
Florida	5,570	1,005,735	41	59
Nebraska	5,483	96,699	7	93
<b>Iowa</b>	5,413	160,892	100	n/a
Kentucky	5,367	225,660	24	76
Arizona	4,774	294,374	27	73
<b>Wisconsin</b>	4,720	263,044	100	n/a
<b>Missouri</b>	4,696	274,119	100	n/a
Arkansas	4,617	129,700	38	62
<b>Illinois</b>	4,594	586,921	100	n/a
Utah	4,514	116,444	85	15
Washington	4,379	279,160	49	51
<b>North Dakota</b>	4,376	27,896	100	n/a
West Virginia	4,339	78,484	38	62
Alaska	4,326	29,305	35	65
New Hampshire	4,096	53,729	22	78
Vermont	3,635	22,568	78	22
Texas	3,392	793,873	28	72
<b>Puerto Rico</b>	3,000	117,798	100	n/a
<b>Minnesota</b>	2,734	140,921	100	n/a
<b>California</b>	2,728	989,062	100	n/a
Mississippi	2,170	62,918	36	64
Hawaii	2,072	26,494	34	66

Notes: a) States in **bold** have a unified court system. b) n/a = not applicable.

\* Although classified as a unified court system, Connecticut’s court system includes a probate court with limited jurisdiction.

In addition to new filings, incoming civil caseloads also include reopened and reactivated cases. A civil case is reopened when a post-dispositional event requiring judicial involvement, such as a motion to modify a judgment, is held. A case is reactivated when it is returned to active status after previously being placed in an inactive status prior to disposition—for example, to allow a federal bankruptcy court to make a separate ruling before the civil case is considered in state court. The *State Court Guide to Statistical Reporting* recommends that reopened and reactivated cases be counted and given a stature equal to that of new filings. For 2006, 15 states were able to report the number of cases reopened and/or reactivated in their courts.

 **Reopened/Reactivated Civil Caseloads in 15 Unified and General Jurisdiction Courts, 2006**



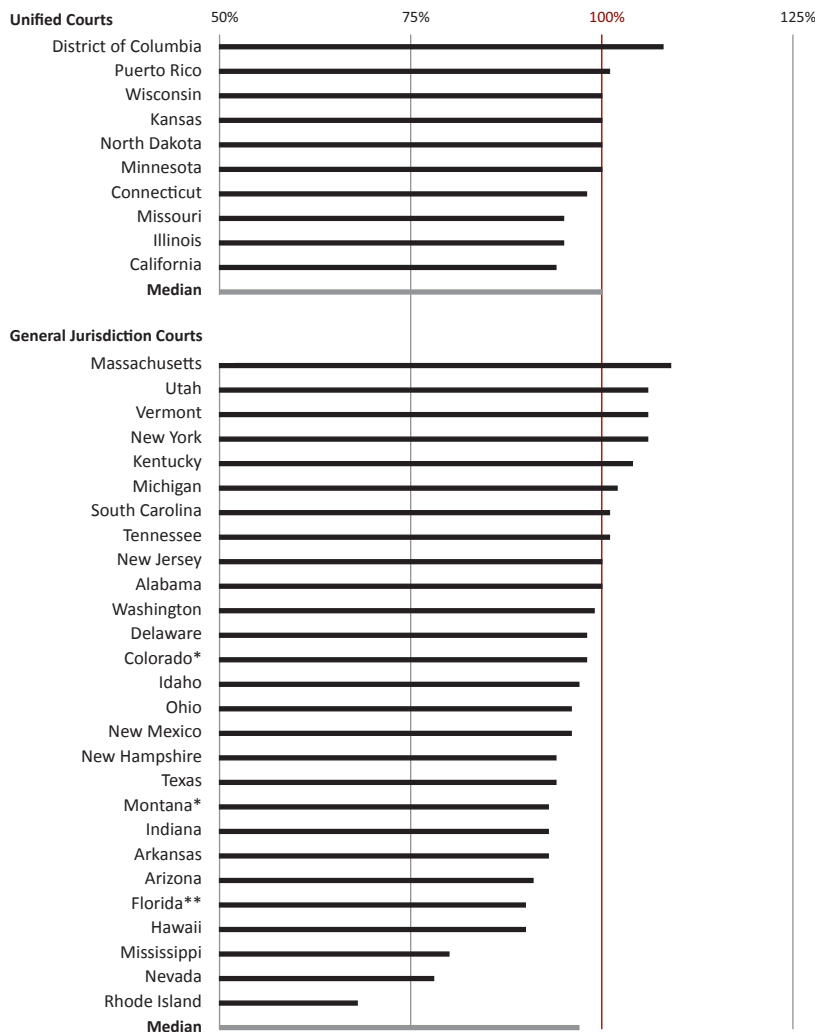
**Reopened/Reactivated Civil Caseloads in 15 Unified and General Jurisdiction Courts, 2006**

State	Total Incoming Civil Cases	Percentage Reopened/Reactivated
Florida	413,013	33%
New Hampshire	11,765	22%
Tennessee	72,881	21%
New Mexico	46,951	20%
<b>North Dakota</b>	27,896	16%
Ohio	272,869	8%
Nevada	34,056	6%
Texas	224,321	6%
Michigan	67,154	5%
<b>Puerto Rico</b>	117,798	4%
<b>Illinois</b>	586,921	4%
New Jersey	825,101	3%
Vermont	17,604	3%
<b>District of Columbia</b>	76,674	2%
<b>Kansas</b>	182,151	1%

Note: States in **bold** have a unified court system.

The proportion of incoming cases represented by reopened and reactivated cases ranged from 1 percent in Kansas to 33 percent in Florida. The number of reopened/reactivated cases in Florida is inflated by the fact that, unlike other states, Florida includes cases scheduled for periodic review in its count of incoming cases. An upcoming revision to the *Guide* will recommend that all states count cases set for periodic review in a new discrete category called “Set for Review.”

**Civil Clearance Rates in 37 Unified and General Jurisdiction Courts, 2006**



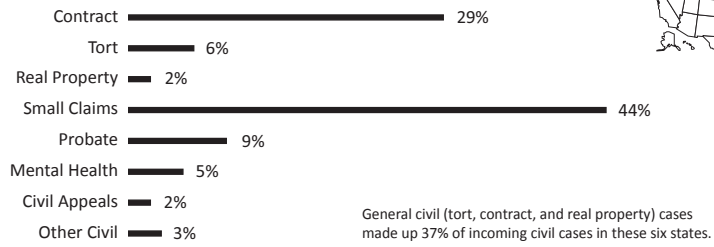
An annual clearance rate is calculated by dividing a court’s total number of outgoing cases for the year by the total number of incoming cases for the same year and expressing the result as a percentage. A clearance rate below 100 percent indicates that the court is taking in more cases than it is disposing of and that the court’s inventory of unresolved cases is therefore increasing. A clearance rate in excess of 100 percent, on the other hand, signifies that the court is reducing its pending caseload by resolving more cases than it takes in. Sixteen of the 37 states with available data reported civil clearance rates of 100 percent or greater for 2006. The median civil clearance rate among the 10 unified courts was 100 percent while the rate for the 27 general jurisdiction courts was 97 percent.

\* Clearance rates for Colorado and Montana exclude the Water Courts.  
 \*\* Florida’s clearance rate is based upon new filings and entries of judgment only.

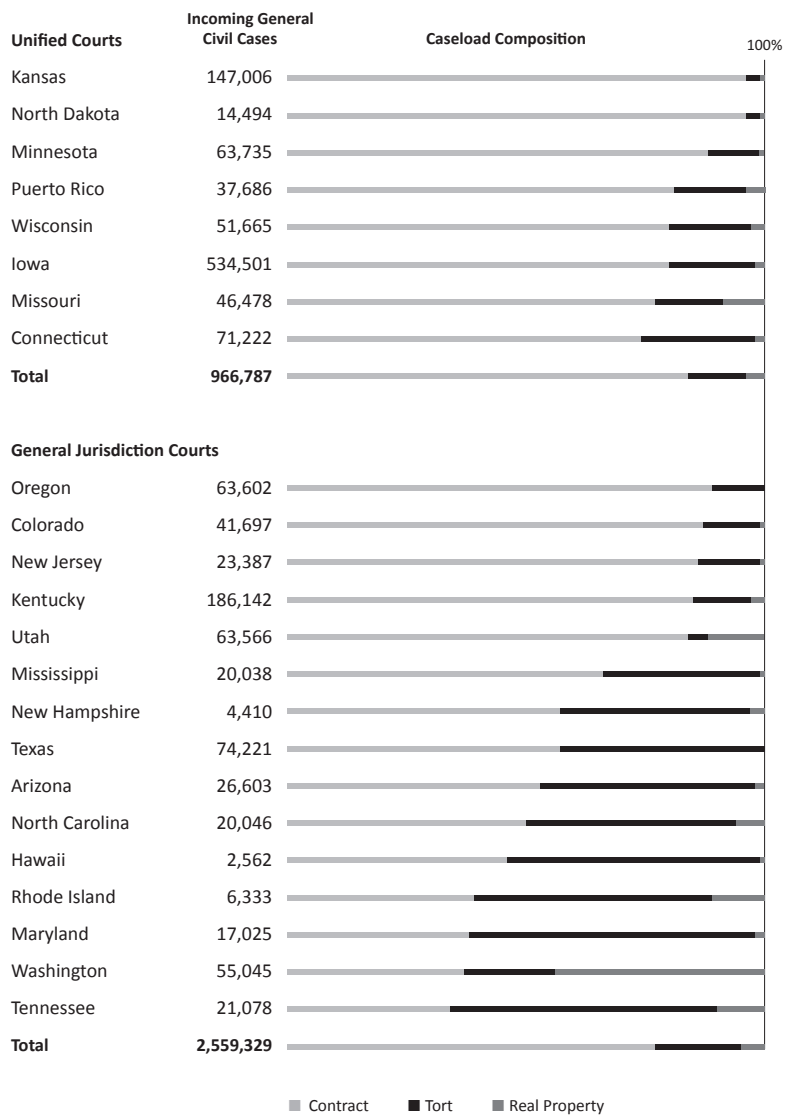
For 2006, six unified courts reported the complete composition of their incoming civil caseloads. Small claims—tort, contract, and real property cases with monetary amounts in controversy falling within state statutory limits—made up 44 percent of incoming civil cases in these court systems. General civil cases—tort, contract, and real property cases not filed as small claims—constituted a combined 37 percent of incoming cases. The vast majority of incoming general civil cases in these systems were contract cases, whereas tort cases represented just 6 percent of the incoming civil caseload.

In most courts, contract cases constitute the bulk of general civil cases. The adjacent table shows the composition of general civil caseloads in the 8 unified courts and 15 general jurisdiction courts with available data. Contract cases comprised over two-thirds of all general civil cases in 7 of the 8 unified courts and over half of all general civil cases in 10 of the 15 general jurisdiction courts. In the aggregate, contract cases represented 84 percent of general civil cases in unified courts, with torts and real property cases comprising 12 percent and 4 percent, respectively. In general jurisdiction courts, the composition was slightly different with contract cases representing 77 percent of general civil cases, torts 18 percent, and real property cases 5 percent. However, in five states with general jurisdiction courts, contract cases made up less than half of the total general civil caseload. These interstate variations in the proportions of general jurisdiction contract, tort, and real property cases may result from differences in court structure, geographic location, and jurisdictional dollar amount limits.

**Composition of Incoming Civil Caseloads in 6 Unified Courts, 2006**



**General Civil Caseload Composition in 23 States, 2006**



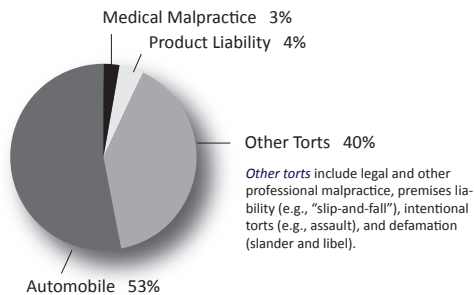
**Incoming Tort Caseloads in 31 Unified and General Jurisdiction Courts, 2006**

State	Percentage of Incoming Civil Cases	Total	Per 100,000 Population
<b>Unified Courts</b>			
Connecticut	10%	15,495	443
Missouri	9	24,901	427
Puerto Rico	8	8,921	227
Kansas	2	4,337	157
Iowa	3	4,250	143
Wisconsin	3	7,062	127
Minnesota	3	4,352	84
North Dakota	2	481	75
<b>Median</b>	<b>3</b>	<b>5,707</b>	<b>150</b>
<b>General Jurisdiction Courts</b>			
New Jersey	8	66,986	773
New York	18	62,156	322
Rhode Island	34	3,148	297
Nevada	21	7,316	294
Ohio	10	27,161	237
Florida	10	42,085	233
Mississippi	29	6,553	226
New Mexico	9	4,229	218
Arkansas	12	5,844	208
Tennessee	16	11,771	194
Arizona	15	11,883	193
Indiana	3	11,326	180
Washington	8	10,509	165
Michigan	25	16,540	164
Alaska	9	924	136
Kentucky	11	5,732	136
Texas	14	31,793	136
New Hampshire	15	1,754	134
Colorado	8	6,035	127
Massachusetts	34	7,904	123
Hawaii	15	1,350	106
Utah	3	2,495	97
Idaho	15	1,143	78
<b>Median</b>	<b>14</b>	<b>7,316</b>	<b>180</b>

Torts are civil cases typically alleging personal injury or property damage. Many of the lawsuits most familiar to average citizens, such as automobile and premises liability (e.g., “slip and fall”) cases, are tort cases. In 2006, torts comprised between 2 and 34 percent of all incoming civil cases in the 31 unified and general jurisdiction courts for which data were available.

Automobile cases clearly dominate the tort landscape, representing more than half of the tort cases handled by state general jurisdiction courts. In contrast, medical malpractice and product liability cases, which receive the most attention from legislators and the media, collectively accounted for just 7 percent of tort caseloads. Because automobile cases are typically such a large component of tort caseloads, it is not surprising that the four states with the highest population-adjusted rates of tort claims—New Jersey, Connecticut, Missouri, and New York—also have the highest population-adjusted rates of automobile tort cases (not shown in a table).

**Composition of Incoming Tort Caseloads in 9 Unified and General Jurisdiction Courts, 2006**





## MISSISSIPPI MALPRACTICE AND PRODUCT LIABILITY CASES


Although the long-term effects of tort reform cannot yet be fully understood, most tort reform measures appear to result in short-term fluctuations in caseloads. The chart below shows Mississippi's incoming medical malpractice and product liability caseloads between 1997 and 2006, a period during which several tort reform measures affecting both case types were enacted.

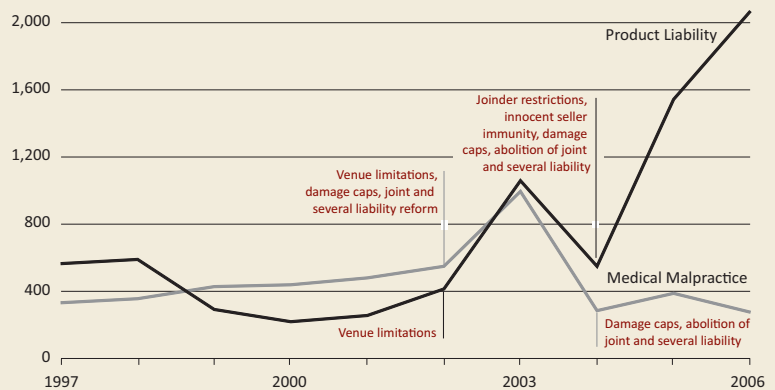
The Mississippi state legislature passed medical malpractice reforms in 1998, 2002, and 2004. These reform measures included a seven-year statute of repose<sup>1</sup> on medical malpractice cases (1998), venue limitations (2002), limits on noneconomic damages (2002 and 2004), and reforms to joint and several liability (restricted in 2002, abolished in 2004).

Reforms affecting product liability cases were enacted in 2002 and 2004. These reforms included venue limitations (2002 and 2004), the abolition of joint and several liability (2004), limits on noneconomic and punitive damages (2004), and immunity from liability for "innocent" sellers of defective products (2004). In 2004, the state supreme court also disallowed the joinder of multiple plaintiffs in a series of product liability cases.

The legislative reforms appear to have exerted at most a brief influence on medical malpractice and product liability caseloads. The 1998 enactment of the statute of repose does not appear to be associated with a reduction in filings; instead, medical malpractice caseloads rose slightly over the four-year period following its enactment. Following the 2002 reforms, both types of filings briefly peaked, and then returned to approximately their pre-reform (1997) levels. A smaller transitory peak in medical malpractice filings occurred after the 2004 legislative reforms. However, the joinder restrictions imposed by the state supreme court in 2004 appear to have had a larger and possibly more permanent effect on product liability filings in Mississippi. Prior to 2004, it was possible for many plaintiffs with similar injuries allegedly inflicted by the same product to file a single suit against the product's manufacturer. By disallowing joinder in these cases, the Mississippi Supreme Court forced most product liability plaintiffs to file their lawsuits individually. Thus, although the number of injured plaintiffs filing suit may have remained the same, the number of separate lawsuits handled and reported by the state courts has increased dramatically.

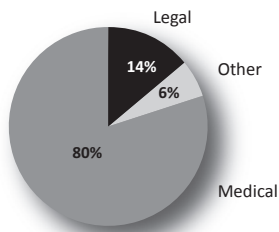
<sup>1</sup> Under Mississippi's statute of limitations on medical malpractice actions, an injured patient must file suit within two years after the negligence occurs or the patient discovers, or should reasonably discover, the physician's negligence. In contrast, the statute of repose bars all claims filed more than seven years after the occurrence of the allegedly negligent act or omission, whether or not the patient could reasonably have discovered the negligence within that time. The statute of repose is designed to bar claims that would otherwise not be barred by the statute of limitations.

 Incoming Medical Malpractice and Product Liability Cases in Mississippi Circuit Court, 1997 - 2006





 **Composition of Incoming Malpractice Caseloads in 6 Unified and General Jurisdiction Courts, 2006**



A malpractice claim alleges negligence in the performance of professional duties. In 2006, 80 percent of malpractice claims in state courts were against doctors and other medical professionals; 12 percent were against attorneys and other providers of legal services; 6 percent were against other professionals such as accountants and architects.

 **Incoming Medical Malpractice Caseloads in 14 Unified and General Jurisdiction Courts, 2006**

State	Incoming Medical Malpractice Cases			Per 100,000 Population
	Percentage of Incoming Tort Cases	Percentage of Incoming Civil Cases	Total	
<b>Unified Courts</b>				
Puerto Rico	6.0%	0.5%	532	14
Kansas	6.8	0.2	296	11
Connecticut	2.1	0.2	330	9
Iowa	6.2	0.2	262	9
Wisconsin	2.9	0.1	204	4
<b>Median</b>	<b>6.0</b>	<b>0.2</b>	<b>296</b>	<b>9</b>
<b>General Jurisdiction Courts</b>				
New York	6.7	1.2	4,140	21
New Jersey	2.5	0.2	1,701	20
New Hampshire	7.9	1.2	139	11
Tennessee	5.4	0.9	640	11
Michigan	6.2	1.5	1,033	10
Mississippi	4.2	1.2	276	10
Rhode Island	2.7	0.9	86	8
Arizona	3.9	0.6	465	8
Hawaii	3.0	0.4	40	3
<b>Median</b>	<b>4.2</b>	<b>0.9</b>	<b>465</b>	<b>10</b>

Although medical malpractice claims are the most prevalent type of malpractice case and are a frequent focus of tort reform efforts, medical malpractice cases represent a small fraction of state courts' overall civil caseloads. In each of the 14 unified and general jurisdiction courts that reported medical malpractice, total tort, and total civil caseloads for 2006, medical malpractice cases accounted for less than 8 percent of incoming tort caseloads and no more than 1.5 percent of all incoming civil cases.

The adjacent table displays contract caseloads in 27 unified and general jurisdiction court systems in 2006. Population-adjusted rates of contract claims and the proportion of all civil cases represented by contract claims vary noticeably from state to state. Contributing to these variations are differences in court structure, jurisdictional dollar amount limits, and local legal cultures.

 **Incoming Contract Caseloads in 27 Unified and General Jurisdiction Courts, 2006**

State	Incoming Contract Cases		Per 100,000 Population
	Percentage of Incoming Civil Cases	Total	
<b>Unified Courts</b>			
District of Columbia	60%	46,377	7,921
Kansas	78	141,577	5,137
Missouri	52	143,910	2,465
North Dakota	50	13,910	2,182
Connecticut	30	46,928	1,342
Puerto Rico	44	51,828	1,320
Minnesota	24	33,136	643
Iowa	12	18,637	627
Wisconsin	13	33,553	602
<b>Median</b>	<b>44</b>	<b>46,377</b>	<b>1,342</b>
<b>General Jurisdiction Courts</b>			
New Jersey	56	461,247	5,322
Utah	60	59,629	2,312
New Mexico	43	19,960	1,028
Colorado	57	44,865	941
Kentucky	73	39,468	939
Ohio	34	92,293	805
Mississippi	59	13,302	459
Maine	14	5,050	384
Washington	15	20,627	324
Rhode Island	27	2,499	235
Arizona	18	13,982	227
New Hampshire	21	2,514	192
Texas	19	42,130	180
Michigan	19	12,705	126
Tennessee	10	7,142	118
Hawaii	13	1,185	93
New York	4	13,528	70
Alaska	3	282	42
<b>Median</b>	<b>20</b>	<b>13,755</b>	<b>27</b>

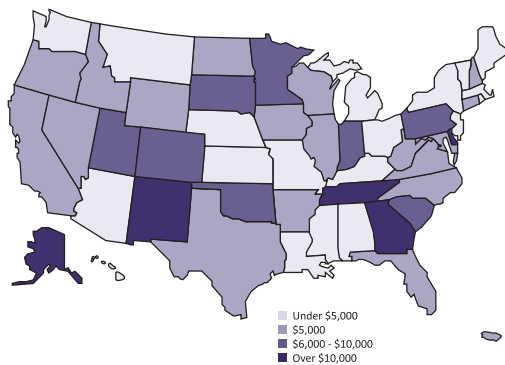
### ☒ Incoming Small Claims Caseloads in 31 States, 2006

State	Incoming Small Claims Cases			Per 100,000 Population
	Small Claims Limit	Percentage of Incoming Civil Cases	Total	
South Carolina	\$7,500	65%	197,143	4,553
Indiana	\$6,000	60	285,384	4,528
<b>Iowa</b>	\$5,000	61	97,747	3,288
<b>Wisconsin</b>	\$5,000	66	172,330	3,092
<b>District of Columbia</b>	\$5,000	20	15,639	2,671
<b>Connecticut</b>	\$5,000	36	86,835	2,484
West Virginia	\$5,000	55	43,247	2,391
Florida	\$5,000	27	273,871	1,517
Alaska	\$10,000	33	9,788	1,445
Idaho	\$5,000	24	19,668	1,344
Utah	\$7,500	29	33,729	1,308
Vermont	\$3,500	35	7,825	1,261
New Hampshire	\$5,000	31	16,448	1,254
<b>Illinois</b>	\$5,000	25	145,696	1,140
<b>Minnesota</b>	\$7,500	40	56,923	1,104
Michigan	\$3,000	12	90,784	899
<b>North Dakota</b>	\$5,000	19	5,413	849
Ohio	\$3,000	11	87,940	767
Arkansas	\$5,000	16	21,114	752
<b>California</b>	\$5,000	24	236,511	652
New Jersey	\$3,000	7	56,460	652
Washington	\$4,000	9	25,381	398
Kentucky	\$1,500	7	16,556	394
Arizona	\$2,500	8	24,066	390
Nebraska	\$2,700	7	6,857	389
<b>Kansas</b>	\$4,000	5	9,729	353
Colorado	\$7,500	5	13,380	281
<b>Missouri</b>	\$3,000	6	15,704	269
Hawaii	\$3,500	13	3,389	265
Texas	\$5,000	7	54,440	233
Montana	\$3,000	2	1,145	121
<b>Median</b>	<b>\$5,000</b>	<b>20</b>	<b>25,381</b>	<b>899</b>

Note: States in **bold** have a unified court system.

In most states, small claims are the largest single category of civil cases. The adjacent table presents small claims caseloads in relation to the combined civil caseloads of each state's limited and general jurisdiction courts. As with contract cases, the prevalence of small claims cases varies from state to state as a result of differences in court structure and jurisdictional limits. In states with larger population-adjusted rates of incoming small claims cases, these cases also tend to represent a larger proportion of incoming civil cases. The map displays the maximum dollar value of small claims cases in all 50 states plus the District of Columbia and Puerto Rico. The limits range from \$1,500 in Kentucky to \$25,000 in Tennessee.

### ☒ Small Claims Limits in State Courts, 2006



Whereas restraining orders against spouses and other current and former household members and intimate partners are captured in domestic relations caseloads, and violations of restraining orders are counted as criminal cases, requests for restraining orders that do not arise out of a known domestic relationship are captured under the civil case type of non-domestic restraining orders. In some states, these cases are termed “stalking” or “harassment” cases. Eleven states were able to report both non-domestic restraining order and total civil caseloads for 2006. In most states, non-domestic restraining orders accounted for fewer than 5 percent of all incoming civil cases.

 **Incoming Non-Domestic Relations Restraining Order Caseloads in 11 States, 2006**

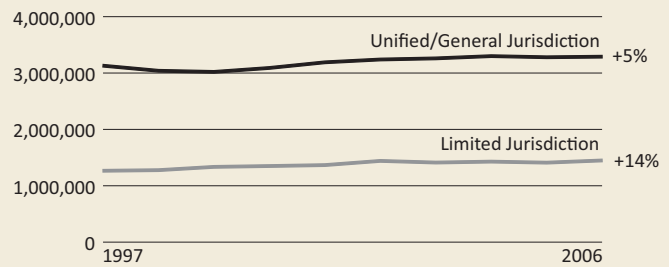
State	Incoming Non-Domestic Restraining Order Cases		
	Percentage of Incoming Civil Cases	Total	Per 100,000 Adults
Arizona	9.1%	26,881	594
Hawaii	10.6	2,807	290
<b>Minnesota</b>	7.4	10,401	273
Washington	4.1	11,461	242
Michigan	1.8	14,212	190
<b>Kansas</b>	2.0	3,717	184
Colorado	2.2	6,425	181
New Hampshire	3.3	1,777	181
<b>North Dakota</b>	2.8	771	161
<b>Wisconsin</b>	2.3	5,945	143
<b>Missouri</b>	0.3	905	21
<b>Median</b>	<b>2.5</b>	<b>5,945</b>	<b>184</b>

Note: States in **bold** have a unified court system.

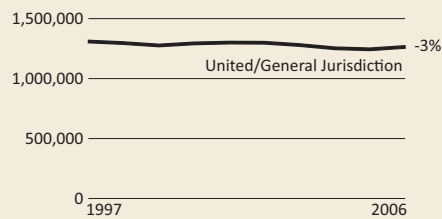


# Domestic Relations Caseloads

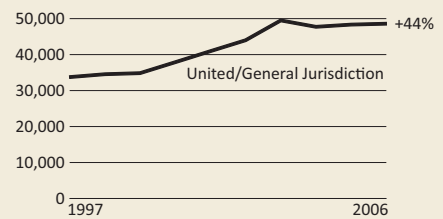
Total Incoming Domestic Relations Caseloads in Selected States, 1997 - 2006



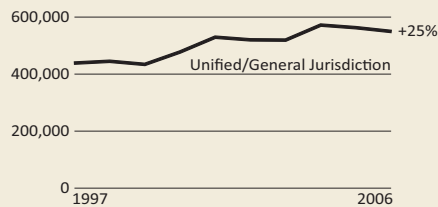
DIVORCE



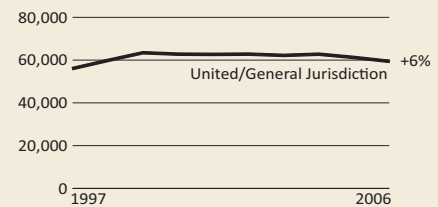
CUSTODY



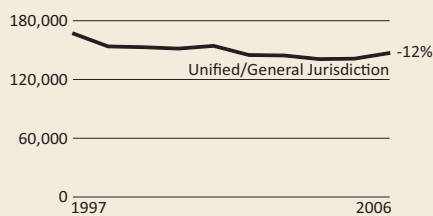
SUPPORT



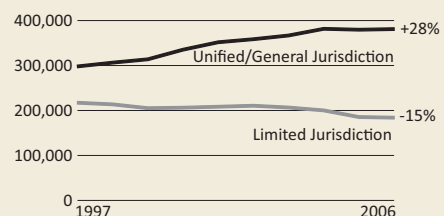
ADOPTION



PATERNITY



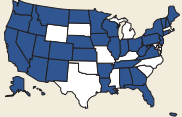
CIVIL PROTECTION ORDER



The states displayed in this section are included because the data shown are comparable and conform closely to the criteria defined in the *State Court Guide to Statistical Reporting*.

States included on previous page trend lines.

**Total Incoming Domestic Relations Caseloads**



Unified/General Jurisdiction  
38 states



Limited Jurisdiction  
19 states

**DIVORCE**



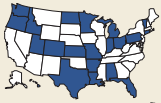
Unified/General Jurisdiction  
35 states

**CUSTODY**



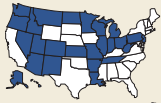
Unified/General Jurisdiction  
7 states

**SUPPORT**



Unified/General Jurisdiction  
21 states

**ADOPTION**



Unified/General Jurisdiction  
28 states

**PATERNITY**



Unified/General Jurisdiction  
22 states

**CIVIL PROTECTION ORDER**



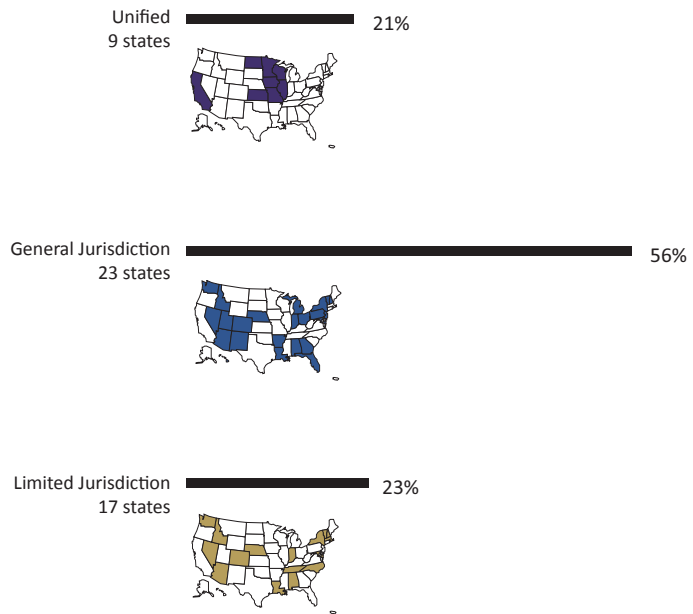
Unified/General Jurisdiction  
24 states



Limited Jurisdiction  
13 states

Domestic relations caseloads, as defined by the *State Court Guide to Statistical Reporting*, comprise a broad range of cases, including marriage dissolution, paternity, custody, support, visitation, adoption, and civil protection/restraining order cases. In 2006, 36 states reported comparable incoming domestic relations caseloads totaling 4.5 million cases. In those 36 states, more than three-quarters of the incoming cases originated in either unified or general jurisdiction courts.

 **Incoming Domestic Relations Caseloads in 36 States, by Jurisdiction, 2006**





**Incoming Domestic Relations Caseloads and Rates in 36 States, 2006**

State	General Jurisdiction	Limited Jurisdiction	Total	Per 100,000 Population	Population Rank
<b>Exclusive Jurisdiction in General Jurisdiction Court</b>					
Pennsylvania	379,982		379,982	3,064	6
Florida	497,808		497,808	2,757	4
New Jersey	228,855		228,855	2,641	11
<b>North Dakota</b>	16,122		16,122	2,529	49
<b>District of Columbia</b>	13,975		13,975	2,387	51
Ohio	251,440		251,440	2,193	7
New Mexico	38,156		38,156	1,964	37
<b>Missouri</b>	113,246		113,246	1,940	18
Arkansas	51,614		51,614	1,837	33
Georgia	148,993		148,993	1,595	9
<b>Iowa</b>	42,152		42,152	1,418	31
<b>Kansas</b>	37,525		37,525	1,362	34
Michigan	132,187		132,187	1,308	8
<b>California</b>	454,880		454,880	1,255	1
<b>Illinois</b>	144,534		144,534	1,131	5
Hawaii	13,559		13,559	1,060	43
<b>Wisconsin</b>	57,734		57,734	1,036	20
<b>Minnesota</b>	50,005		50,005	970	21
Utah	22,420		22,420	869	35
<b>Exclusive Jurisdiction in Limited Jurisdiction Court</b>					
Massachusetts		129,594	129,594	2,014	13
North Carolina		131,046	131,046	1,477	10
Rhode Island		12,935	12,935	1,218	44
<b>Shared Jurisdiction</b>					
New York	63,738	597,326	661,064	3,428	3
Vermont	20,373	468	20,841	3,357	50
Nevada	53,525	1,740	55,265	2,217	36
Arizona	107,219	28,567	135,786	2,202	16
Maryland	92,993	23,813	116,806	2,085	19
Alabama	61,214	22,835	84,049	1,831	23
New Hampshire	13,501	10,436	23,937	1,825	42
Idaho	96	23,237	23,333	1,594	40
Indiana	96,426	401	96,827	1,536	15
Nebraska	24,038	941	24,979	1,416	39
Tennessee	63,183	22,394	85,577	1,409	17
Colorado	43,665	7,237	50,902	1,068	22
Washington	62,928	2,715	65,643	1,030	14
Louisiana	42,053	79	42,132	993	25
<b>Median</b>				<b>1,594</b>	

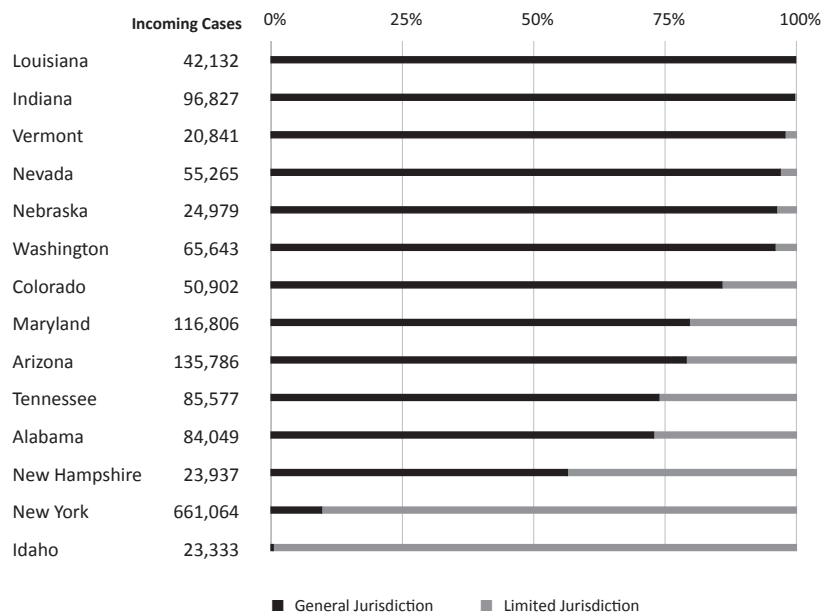
Notes: a) States in **bold** have a unified court system; b) Blank cells indicate no limited jurisdiction court or no domestic relations jurisdiction.

The adjacent table disaggregates the domestic relations caseloads in the 36 states by court jurisdiction. General jurisdiction courts have exclusive jurisdiction over this caseload in 19 states (nine of which are unified court systems), courts of limited jurisdiction have exclusive jurisdiction in only three states (Massachusetts, North Carolina, and Rhode Island), and jurisdiction is shared between the two tiers of courts in 14 states.

Also displayed is the number of incoming domestic relations cases per 100,000 population. In 2006, the median population-adjusted incoming domestic relations rate for all states was 1,594 cases, but both states with large and states with small populations had rates far above the median. For example, New York, which had the third largest population, also had the highest population-adjusted rate (3,428). But the District of Columbia, which had the second smallest population, had the seventh highest population-adjusted rate (2,387). California was first in population rank but its population-adjusted rate of incoming cases was well below the median, at 1,255 domestic relations cases per 100,000 population.

The bar chart, to the right, presents the percentage of the domestic relations caseload heard by the general jurisdiction versus limited jurisdiction courts for the 14 states that divide jurisdiction between the two tiers. In 12 of those states, the court of general jurisdiction handled more than half of the state's incoming domestic relations caseload, and half of those states report that the general jurisdiction court hears over 90 percent of incoming cases. However, in New York and Idaho, the courts of limited jurisdiction hear almost all of the domestic relations caseload. In New York, this is due to the fact that the general jurisdiction court's authority is limited to marriage dissolution cases; all other domestic relations cases are heard by the limited jurisdiction court. In Idaho, jurisdictional authority is shared between the two courts, but the general jurisdiction court heard fewer than 100 cases.

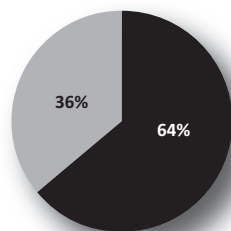
 **Incoming Domestic Relations Caseloads in 14 States, by Jurisdiction, 2006**



Incoming caseloads consist of newly filed, reopened, and reactivated cases. A case is counted as newly filed when it enters the court system for the first time; as reopened when the court is called upon to modify or enforce a previous entry of judgment; and as reactivated when the case, having previously been determined by the court to be inactive, returns to the court's active pending caseload and continues toward disposition. Many of the domestic relations case types are, by the nature of the decisions required from the court, subject to multiple reopening/reactivating events.

 **Reopened/Reactivated Domestic Relations Caseloads in 9 States, 2006**

Reopened/Reactivated 413,521 cases



New Filings 736,691 cases



**Reopened/Reactivated Domestic Relations Caseloads in 9 States, 2006**

State	Total	Reopened/ Reactivated	Percent Reopened/Reactivated
New Jersey	228,855	154,484	68%
North Dakota	16,122	7,665	48%
Florida	497,808	224,533	45%
Vermont	20,841	9,258	44%
New Mexico	38,156	11,056	29%
<b>District of Columbia</b>	13,975	792	6%
Michigan	132,187	3,273	3%
<b>Illinois</b>	144,534	2,299	2%
<b>Wisconsin</b>	57,734	161	0.3%

Note: States in **bold** have a unified court system.

**■ Guide Tip**

Cases that are *scheduled* to return to the court's docket for review involving a judicial officer, subsequent to an original entry of judgment, are to be captured in the new status category called "set for review" in Version 2.0 (forthcoming 2008) of the *Guide*.

For example, support, custody, and visitation arrangements within families can be frequently modified, and the *Guide* recommends that each modification be reported as a reopened case to ensure that the court's actual workload is recognized. In 2006, nine states were able to distinguish between newly filed and reopened/reactivated domestic relations cases. At the aggregate level, reopened and reactivated cases represented 36 percent of the total incoming domestic relations caseloads in these nine states.

Among these nine states, New Jersey reported the highest percentage of reopened/reactivated domestic relations cases. This is likely the result of two factors. First, New Jersey began collecting data for reopened cases in 1992, over 10 years before the introduction of the *Guide*. With about 15 years experience in collecting these data, the trial courts there are well versed in identifying and counting these cases. Second, New Jersey's court staffing needs are based on incoming caseload, so an accurate count of reopened and reactivated, as well as newly filed, cases is critical to maintain appropriate staffing levels.

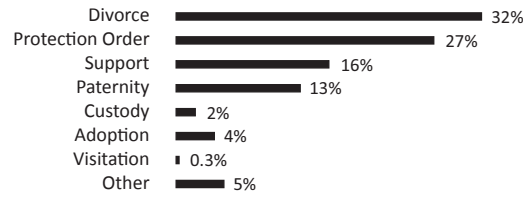
Domestic relations caseloads include marriage dissolution, paternity, custody, support, visitation, adoption, and civil protection/restraining order cases. In 2006, 28 states reported comparable domestic relations composition data.

Divorce (i.e., marriage dissolution) cases continue to be the most common type of domestic relations case heard in unified and general jurisdiction courts, representing 32 and 40 percent of the caseloads, respectively. Support is the most common type of case heard in courts of limited jurisdiction, comprising 40 percent of the total domestic relations caseload in those courts. The difference in case type proportions is likely due to the jurisdictional authority granted to courts of general jurisdiction versus limited jurisdiction in two-tiered court systems. Civil protection/restraining order cases are common across all three types of courts, representing the third most common case type in both general and limited jurisdiction courts, and the second most common case type in states with a unified court system.

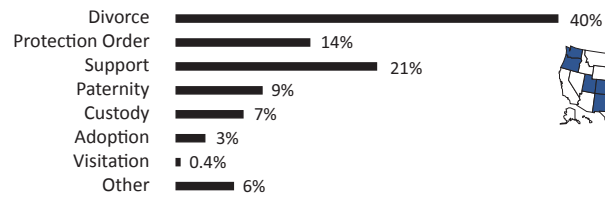


**Incoming Domestic Relations Composition in 28 States, 2006**

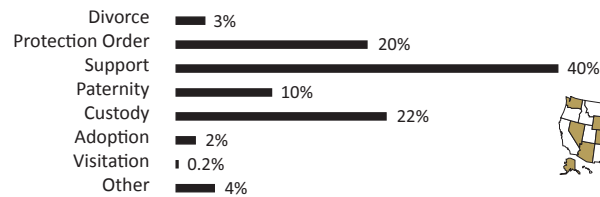
**Unified: 5 courts** (266,779 cases)



**General Jurisdiction: 13 courts** (796,374 cases)



**Limited Jurisdiction: 23 courts** (871,593 cases)



**On the Web**

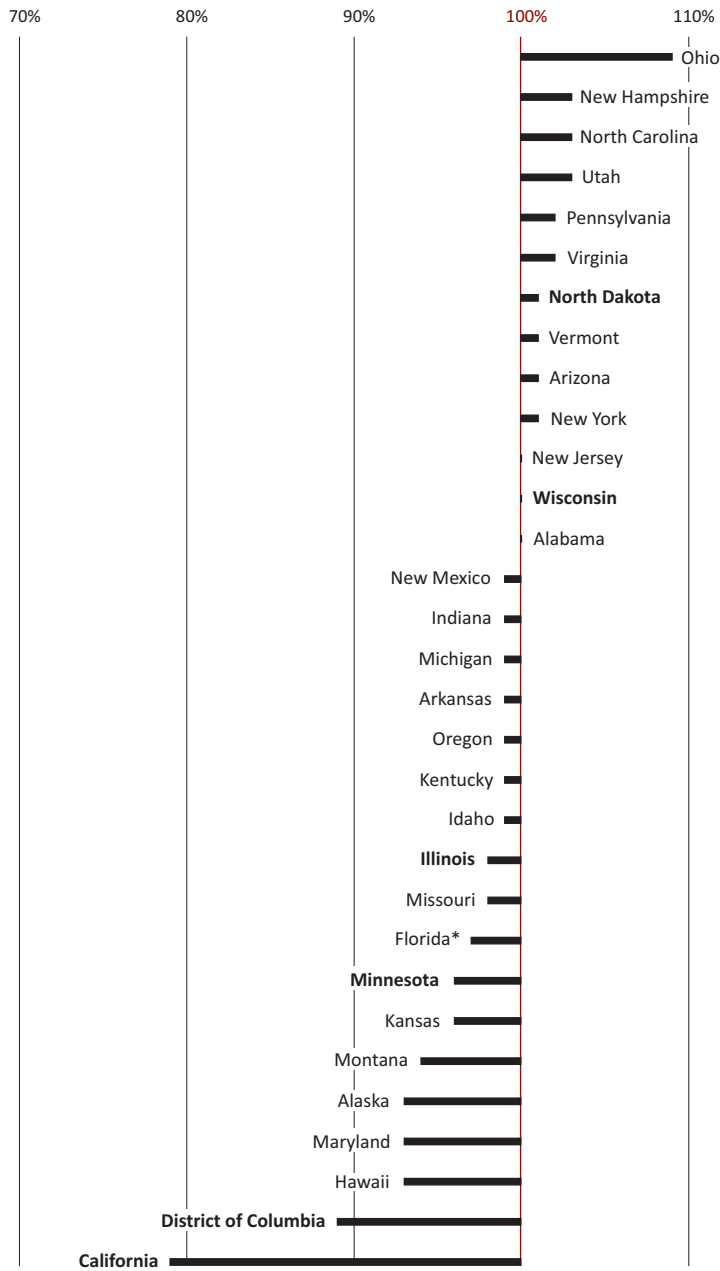
Centers for Disease Control  
Divorce Rates by State

[http://www.cdc.gov/nchs/data/mss/divorce90\\_04.pdf](http://www.cdc.gov/nchs/data/mss/divorce90_04.pdf)

Administration for Children and Families  
Adoption and Foster Care Statistics

[http://www.acf.hhs.gov/programs/cb/stats\\_research](http://www.acf.hhs.gov/programs/cb/stats_research)

 **Domestic Relations Clearance Rates in 31 States, 2006**



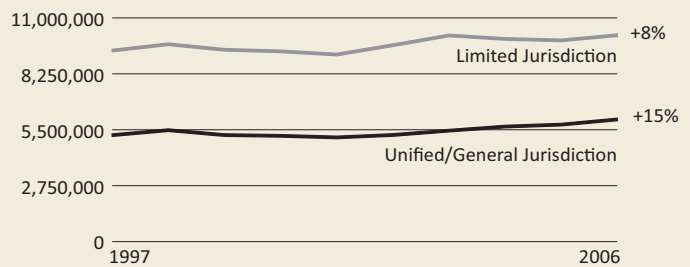
To determine how well a court is keeping up with its caseload, a clearance rate is calculated by dividing the number of outgoing cases by the number of incoming cases. In 2006, 13 of the 31 states able to report comparable incoming and outgoing domestic relations caseload data showed a clearance rate of 100 percent or higher. The remaining 18 states increased the number of cases in their pending caseload during 2006.

Note: States in **bold** have a unified court system.

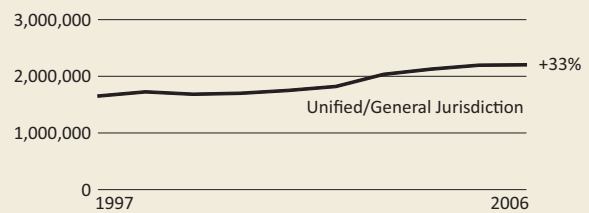
\*Florida's clearance rate is based on new filings and entries of judgment only.

# Criminal Caseloads

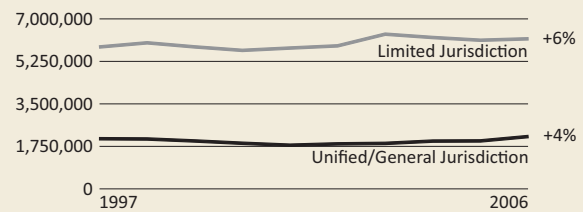
 **Total Incoming Criminal Caseloads in Selected States, 1997 - 2006**



 **FELONY**



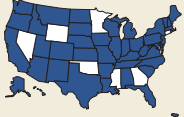
 **MISDEMEANOR**



The states displayed in this section are included because the data shown are comparable and conform closely to the criteria defined in the *State Court Guide to Statistical Reporting*.

States included on previous page trend lines.

**Total Incoming Criminal Caseloads**

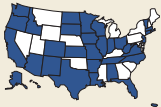


Unified/General Jurisdiction  
45 states



Limited Jurisdiction  
30 states

**FELONY**



Unified/General Jurisdiction  
35 states

**MISDEMEANOR**



Unified/General Jurisdiction  
21 states



Unified/General Jurisdiction  
20 states

The way in which criminal cases, specifically felony cases, are counted often differs from other types of cases. Most states with two-tiered systems, i.e., those with both limited and general jurisdiction courts, may hear parts of the same felony case at both levels of court and count that case as two distinct cases. For example, a felony case will often have a preliminary hearing in a limited jurisdiction court, such as a municipal court. If a judicial officer decides that the evidence against a defendant is sufficient to support the charges, the case is typically “bound over” to the court of general jurisdiction for trial. These two courts will, therefore, legitimately count the events that occurred under their purview as one filing or incoming case. Thus, the number of criminal and felony cases reported by states with two-tiered court systems may appear disproportionately higher when compared to single-tiered courts.

The adjacent table shows the 2006 criminal caseloads and population-adjusted rates for 23 states. The overall rate of cases per 100,000 adults in states with a unified court ranged from a high of nearly 6,500 in California to a low of about 2,800 in Minnesota, with a median rate of about 5,400. As expected, the median rate in states with two-tiered courts, where many felony cases are counted in both the general and limited jurisdiction court, is about 50 percent higher at 7,960 cases per 100,000 adults.

### Incoming Criminal Caseloads and Rates in 23 States, 2006

State	Incoming Criminal Cases			Criminal Cases per 100,000 Adults		
	General Jurisdiction	Limited Jurisdiction	Total	General Jurisdiction	Limited Jurisdiction	Total
<b>Unified Courts</b>						
California	1,694,519		1,694,519	6,430		6,430
Kansas <sup>1</sup>	112,591	13,157	125,748	5,559	650	6,208
Illinois	546,281		546,281	5,786		5,786
Missouri	246,795		246,795	5,675		5,675
South Dakota <sup>2</sup>	31,034		31,034	5,377		5,377
District of Columbia	19,914		19,914	4,257		4,257
Iowa	84,277		84,277	3,785		3,785
Puerto Rico	84,656		84,656	3,024		3,024
Minnesota	105,181		105,181	2,765		2,765
<b>Median</b>				<b>5,377</b>		<b>5,377</b>
<b>Two-tiered Courts</b>						
Idaho	13,116	136,760	149,876	1,253	13,066	14,319
Michigan	70,954	975,576	1,046,530	950	13,068	14,018
Hawaii	8,024	112,857	120,881	830	11,675	12,505
Louisiana	178,809	200,163	378,972	5,796	6,489	12,285
New Hampshire	26,714	77,219	103,933	2,715	7,849	10,564
Alaska	5,851	32,992	38,843	1,241	6,997	8,238
Maryland	81,151	254,111	335,262	1,947	6,097	8,044
Kentucky	30,601	219,084	249,685	965	6,911	7,876
Washington	50,469	309,682	360,151	1,066	6,538	7,604
New Mexico	26,069	79,989	106,058	1,864	5,720	7,584
Utah	42,079	83,282	125,361	2,406	4,762	7,168
Indiana	254,932	49,092	304,024	5,459	1,051	6,510
Colorado	46,501	152,000	198,501	1,311	4,286	5,598
Rhode Island	6,233	38,726	44,959	768	4,775	5,543
<b>Median</b>				<b>1,282</b>	<b>6,513</b>	<b>7,960</b>

<sup>1</sup> Kansas, despite being classified as a unified court, has a municipal court with misdemeanor motor vehicle jurisdiction.

<sup>2</sup> South Dakota's Magistrate Court has misdemeanor jurisdiction but its caseload is counted in the general jurisdiction court.

Note: Blank cells indicate no limited jurisdiction court or no criminal jurisdiction.

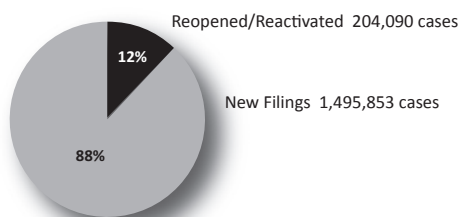
## BJS Resource

Bureau of Justice Statistics  
Criminal Case Processing Statistics

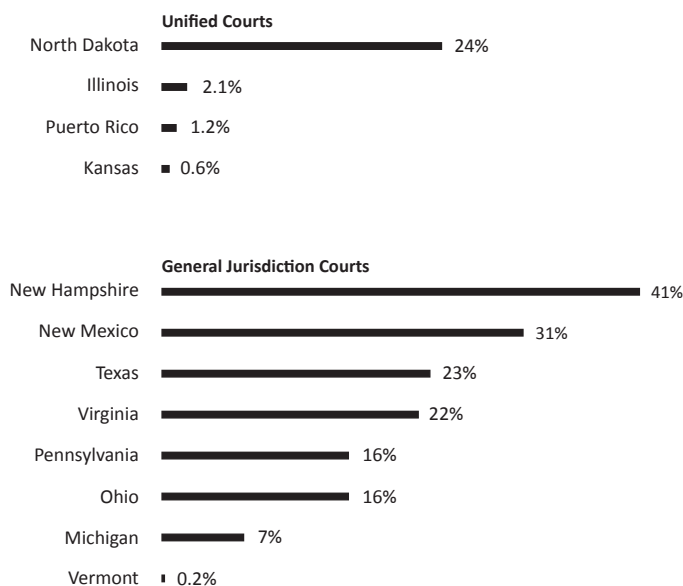
[www.ojp.usdoj.gov/bjs/cases.htm](http://www.ojp.usdoj.gov/bjs/cases.htm)



**Reopened/Reactivated Criminal Caseloads in Unified and General Jurisdiction Courts in 12 States, 2006**



**Reopened/Reactivated Criminal Caseloads as a Percentage of Total Criminal Caseloads in 12 States, 2006**



Data from the 12 states able to report reopened and/or reactivated criminal caseloads indicate that 12 percent of their incoming criminal caseloads reentered the court system after an initial entry of judgment or were reactivated after a finite period of inactivity. A criminal case may be *reopened* after its original disposition, for example, when a defendant violates parole and the case returns to court for additional adjudication in light of that parole violation. A *reactivated* criminal case, on the other hand, has returned to the court's docket after a finite period of inactivity and is once again moving toward disposition. For example, if a defendant fails to appear in court, the court cannot proceed with the case, and the case is placed on inactive status. After the court issues a bench warrant and the defendant is apprehended and returned to court, the court reactivates the original case and proceeds to a disposition. Managing and counting reopened and reactivated criminal caseloads allows for more accurate calculations of the age of active pending criminal cases and the full workload associated with criminal cases.

Disaggregating the data from the pie chart reveals the variation in reopened/reactivated caseloads in state courts. Eleven of these 12 states reported only a reopened criminal caseload; Ohio alone reported a reactivated caseload. This would suggest that many states do not place cases on inactive status, are unable to collect and report data for those cases, or do not distinguish reopened cases from reactivated cases at the state level.



National Center for State Courts  
Measure 4: Age of Active Pending Caseload

[www.ncsconline.org/D\\_Research/CourTools/Images/courtools\\_measure4.pdf](http://www.ncsconline.org/D_Research/CourTools/Images/courtools_measure4.pdf)

Criminal caseloads, as outlined in the *State Court Guide to Statistical Reporting*, consist of felonies, misdemeanors, and certain other cases, such as criminal appeals from lower courts. The distinction between felonies and misdemeanors varies from state to state but, in general, misdemeanors are defined as less serious crimes punishable by up to one year in jail. Felonies are more serious crimes carrying penalties of at least one year in prison. Both types of cases can also result in fines.



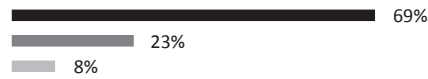
**Criminal Caseload Composition in 37 States, by Jurisdiction, 2006**



**Unified - 9 Courts**



**General Jurisdiction - 21 Courts**



**Limited Jurisdiction - 31 Courts**



■ Felony  
■ Misdemeanor  
■ Other

**BJs Resources**

Bureau of Justice Statistics  
Felony Defendants in Large Urban Counties

[www.ojp.usdoj.gov/bjs/abstract/fdluc04.htm](http://www.ojp.usdoj.gov/bjs/abstract/fdluc04.htm)

Pretrial Release of Felony Defendants in State Courts

[www.ojp.usdoj.gov/bjs/abstract/prfdsc.htm](http://www.ojp.usdoj.gov/bjs/abstract/prfdsc.htm)

Felony Sentences in State Courts

[www.ojp.usdoj.gov/bjs/abstract/fssc04.htm](http://www.ojp.usdoj.gov/bjs/abstract/fssc04.htm)



### Incoming Felony Caseloads and Rates in Unified and General Jurisdiction Courts in 34 States, 2006

State	Total	Per 100,000 Adults
<b>Unified Courts</b>		
Missouri	100,136	2,302
North Dakota	6,644	1,390
Connecticut	35,240	1,339
Puerto Rico	35,885	1,282
District of Columbia	5,889	1,259
South Dakota	6,970	1,208
California	289,206	1,097
Illinois	99,682	1,056
Iowa	22,163	995
Kansas	19,882	982
Wisconsin	36,079	869
Minnesota	31,709	834
<b>Median</b>		<b>1,153</b>
<b>General Jurisdiction Courts</b>		
Virginia	131,806	2,288
Louisiana	57,862	1,876
Tennessee	85,911	1,876
New Mexico	23,245	1,662
North Carolina	109,815	1,638
Indiana	73,600	1,576
Colorado	46,501	1,311
Oregon	36,258	1,305
Alabama	43,561	1,270
Alaska	5,851	1,241
Utah	20,533	1,174
Ohio	98,126	1,147
Idaho	11,731	1,121
Washington	45,598	963
Michigan	69,933	937
Vermont	3,994	849
New Jersey	54,671	839
Rhode Island	5,961	735
Nevada	12,089	652
West Virginia	6,265	446
Hawaii	3,927	408
Massachusetts	5,534	113
<b>Median</b>		<b>1,256</b>

As noted earlier, felonies are subject to double-counting in two-tiered courts. To mitigate these differences, a cross-state comparison should be limited to observations in courts of general jurisdiction only. Criminal caseloads and rates in unified court systems (where double-counting is not typically an issue) are more comparable to the caseloads and rates at the general jurisdiction level of two-tiered systems.

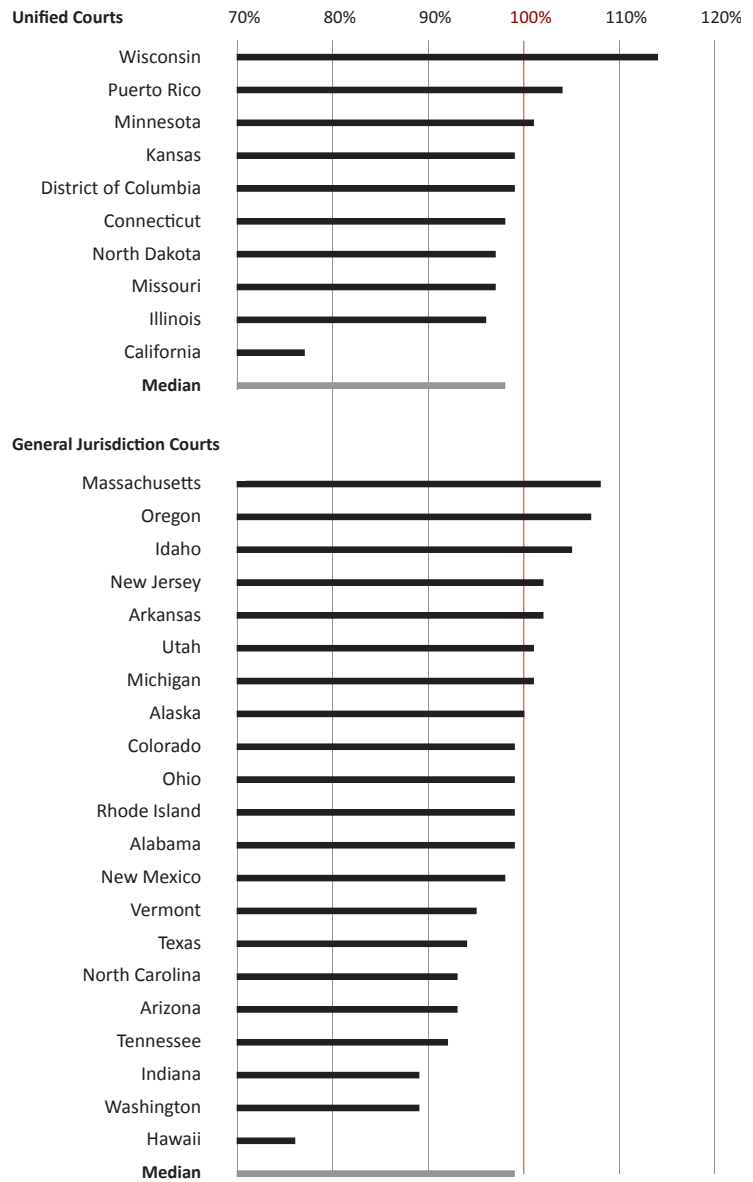
The adjacent table displays the total number of incoming felonies and population-adjusted rates of the unified and general jurisdiction courts of 34 states. Although both of these metrics clearly demonstrate variation among the states, the median population-adjusted rates are quite similar at about 1,200 felonies per 100,000 adults.

One way to determine whether a court is effectively managing its caseload is by calculating a clearance rate. A clearance rate is computed by dividing the number of outgoing cases during a reporting period by the number of incoming cases during the same period. A rate of 100 percent indicates that a court is keeping up with its caseload.

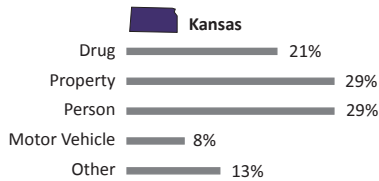
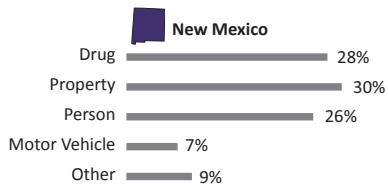
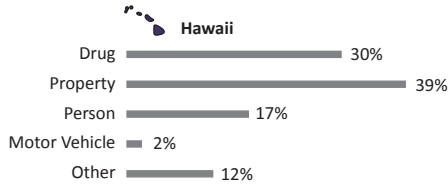
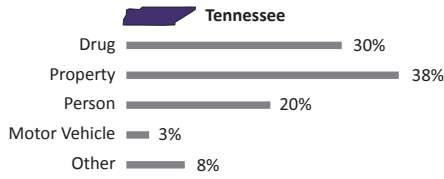
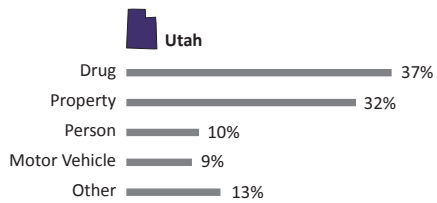
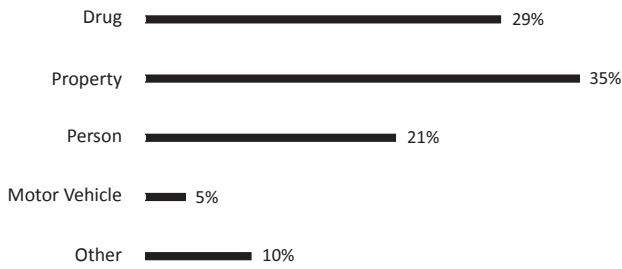
The general jurisdiction courts of 31 states, of which 10 are unified courts, reported incoming and outgoing felony caseloads from which clearance rates could be calculated for 2006. About one-third of these states reported at least as many outgoing cases as incoming cases, generating clearance rates of 100 percent or more. Massachusetts reported the second-highest clearance rate at 108 percent. But as shown in the chart on the previous page, Massachusetts also had by far the lowest population-adjusted rate of incoming felony cases (113) among the states with available data.



**Felony Clearance Rates in Unified and General Jurisdiction Courts in 31 States, 2006**



 **Felony Caseload Composition in Unified and General Jurisdiction Courts in 5 States, 2006**



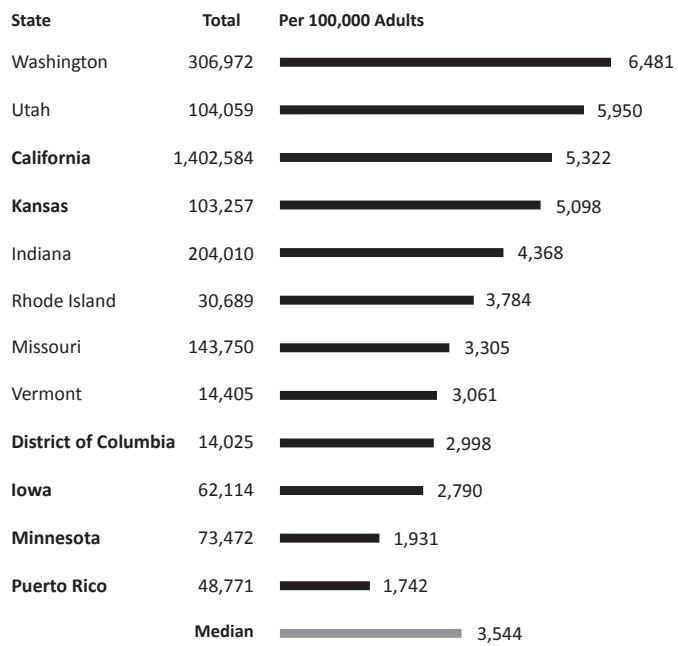
The *Guide* defines 10 distinct felony case types: person, domestic violence, property, drug, weapon, public order, motor vehicle/DUI, motor vehicle/reckless driving, motor vehicle/other, and other felony. To date, no state reports its felony caseload at that level of detail. However, five states do distinguish and report four of the most prevalent case types. The adjacent charts show the aggregate composition for the five states followed by each state's individual composition.

Property offenses dominate the aggregate felony composition of these five states. The individual compositions of Hawaii, New Mexico and Tennessee are quite similar to one another while Kansas reported a larger proportion of person felonies. Utah's composition was unique in that the percentage of drug cases exceeded those of both property and person cases.

The adjacent chart shows the number of incoming misdemeanor cases and population-adjusted rates in 12 states for 2006. The number of incoming cases per 100,000 adults in these states range from a low of about 1,750 in Puerto Rico to a high of nearly 6,500 in Washington with a median rate of 3,544. Contributing to this variation in rates are law enforcement practices, charging practices, court resources, and differences in the law among these 12 states.

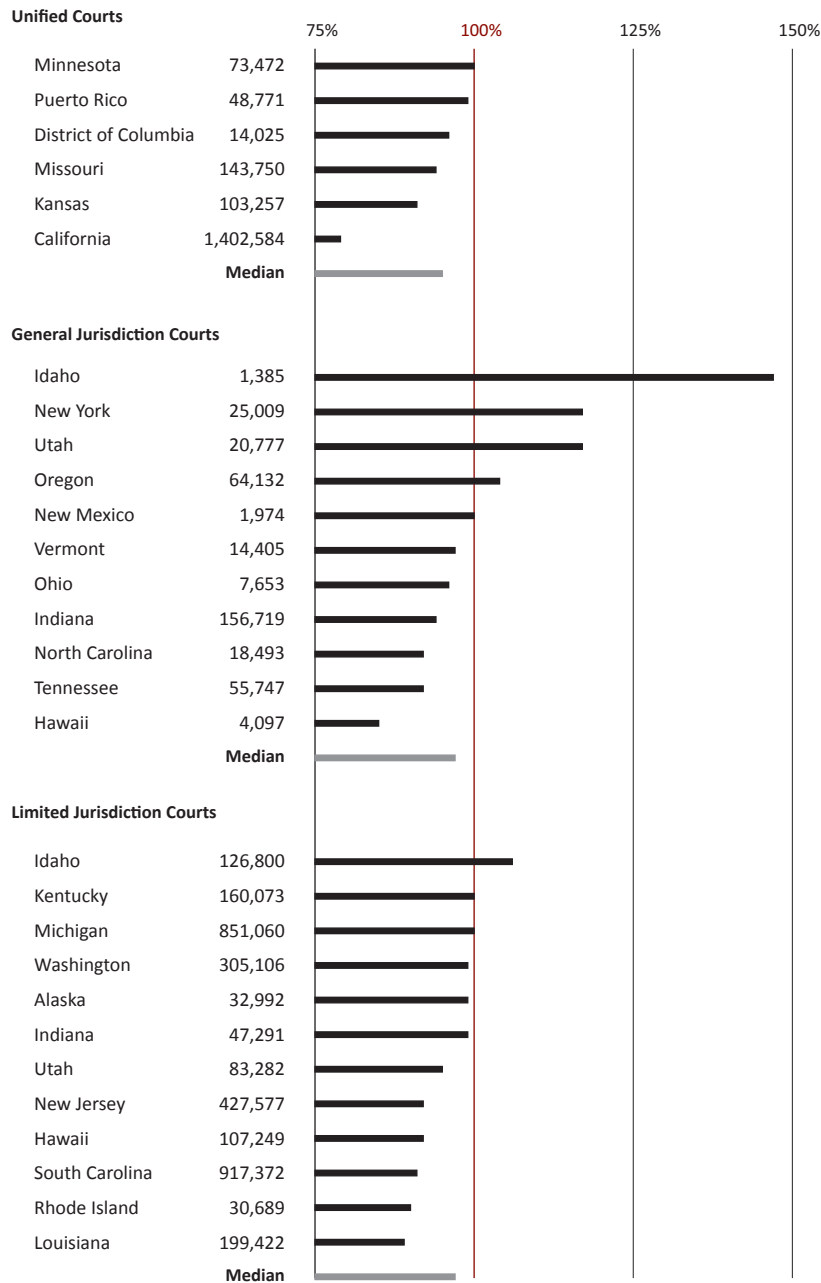


**Incoming Misdemeanor Caseloads and Rates in 12 States, 2006**



Note: States in **bold** have a unified court system.

**Misdemeanor Clearance Rates in 25 States, 2006**



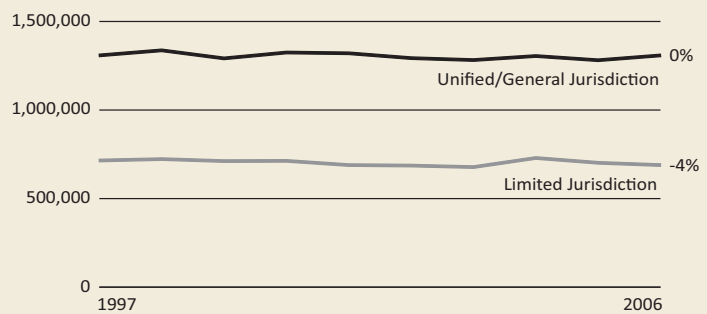
Depending upon a state's court structure, misdemeanor cases may be heard in general jurisdiction courts, limited jurisdiction courts, or some combination of the two. The chart to the left shows clearance rates for misdemeanor cases in various courts in 25 states. Four of the 19 states with two-tiered systems shown here reported incoming and outgoing misdemeanor caseloads from both general and limited jurisdiction courts.

Among the six unified courts, Minnesota achieved the highest clearance rate at 100 percent. Five of 11 general jurisdiction (45 percent) and three of 12 limited jurisdiction courts (25 percent) cleared at least as many cases as were incoming in 2006.

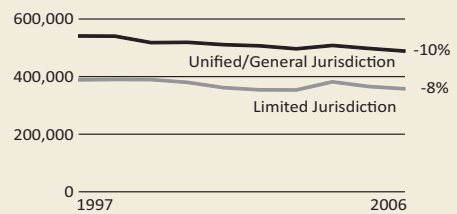
The general jurisdiction court of Idaho reported an unusually high clearance rate for 2006. However, because of its relatively small misdemeanor caseload, only 2,035 cases needed to be disposed of to achieve its rate of 147 percent.

# Juvenile Caseloads

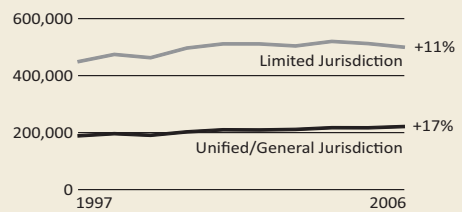
**Total Incoming Juvenile Caseloads in Selected States, 1997 - 2006**



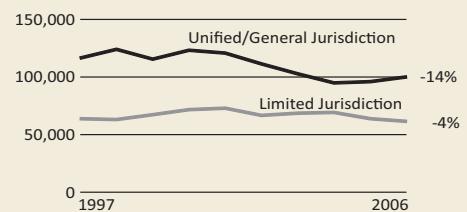
**DELINQUENCY**



**DEPENDENCY**



**STATUS OFFENSE**

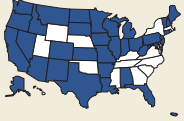


The states displayed in this section are included because the data shown are comparable and conform closely to the criteria defined in the *State Court Guide to Statistical Reporting*.



States included on previous page trend lines.

**Total Incoming Juvenile Caseloads**



Unified/General Jurisdiction  
36 states



Limited Jurisdiction  
17 states

**DELINQUENCY**

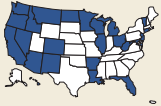


Unified/General Jurisdiction  
20 states



Limited Jurisdiction  
11 states

**DEPENDENCY**



Unified/General Jurisdiction  
25 states



Limited Jurisdiction  
11 states

**STATUS OFFENSE**



Unified/General Jurisdiction  
15 states



Limited Jurisdiction  
8 states

Juvenile caseloads are divided into three main subcategories: delinquency cases, dependency cases, and status offense cases. A delinquency case is filed when a juvenile commits an offense that would be considered a criminal act if an adult committed the same offense. When a juvenile is abused, neglected, or otherwise improperly supervised or cared for, a dependency case is filed. A status offense case is filed when a juvenile commits an offense that would not be considered a criminal act if committed by an adult.

In terms of caseload management and workload, juvenile cases can be among the most time consuming and complex cases processed in the trial courts. For example, juvenile delinquency cases are subject to being reopened if the juvenile violates probation conditions. Since juveniles who are adjudicated delinquent often remain on probation until reaching the age of majority in their state, one juvenile delinquent case can be reopened numerous times over the course of many years.

The adjacent table shows the total number of incoming juvenile cases as well as the number of incoming cases per 100,000 juveniles in 39 states. These data suggest that there is little connection between the size of a state's juvenile population and its population-adjusted rate of juvenile cases. For example, North Dakota had the highest rate of incoming juvenile cases among these 39 states, yet its total juvenile population is very small. Conversely, California's juvenile population is by far the largest in the United States, but its population-adjusted rate is among the lowest.

 **Incoming Juvenile Caseloads and Rates in 39 States, 2006**

State	Total Cases	Cases per 100,000 Juveniles	Juvenile Population Rank
<b>North Dakota*</b>	10,761	6,752	49
Ohio*	184,430	6,334	7
Utah	46,484	5,596	31
Georgia	134,757	5,443	9
Virginia	98,417	5,236	12
Alabama	60,127	5,177	23
<b>South Dakota</b>	10,368	4,907	47
Florida*	199,490	4,845	4
<b>Minnesota</b>	61,055	4,521	21
Rhode Island	11,182	4,463	44
Nevada	27,503	4,310	36
Hawaii	13,285	4,258	42
<b>Connecticut</b>	33,314	3,858	30
New Jersey*	80,672	3,754	11
Louisiana	43,305	3,738	24
Arkansas*	26,531	3,718	35
Idaho	14,915	3,575	39
Massachusetts	48,763	3,211	16
<b>District of Columbia*</b>	3,662	3,112	52
Washington	47,103	2,875	14
New Hampshire*	9,339	2,848	41
<b>Kansas*</b>	20,700	2,834	34
Michigan*	67,927	2,576	8
Nebraska	11,584	2,497	38
Maryland	34,335	2,394	19
Pennsylvania	66,465	2,252	6
North Carolina	43,996	2,033	10
<b>Iowa</b>	14,900	1,997	33
Colorado	22,525	1,846	22
New York*	81,439	1,710	3
Maine	5,148	1,659	43
<b>Missouri</b>	24,237	1,628	18
Vermont*	2,363	1,573	50
New Mexico*	8,246	1,516	37
<b>California*</b>	148,917	1,505	1
<b>Wisconsin</b>	21,214	1,493	20
Alaska	2,859	1,388	48
Arizona	22,335	1,362	13
Montana	3,108	1,287	45
<b>Median</b>		<b>2,875</b>	

Note: States in **bold** have a unified court system.  
 \* This state reported reopened and/or reactivated caseloads.



**On the Web**

National Center for Juvenile Justice  
 Easy Access to Juvenile Court Statistics

<http://www.ojjdp.ncjrs.org/ojstatbb/ezajcs/>

**Incoming Juvenile Caseloads in 12 States, 2006**

State	New Filings	+	Reopened/ Reactivated	=	Incoming	Percent Reopened/Reactivated
Florida	92,193		107,297		199,490	54%
New York	53,406		28,033		81,439	34%
Ohio	131,813		52,617		184,430	29%
<b>California</b>	110,750		38,167		148,917	26%
New Mexico	6,342		1,904		8,246	23%
<b>North Dakota</b>	9,101		1,660		10,761	15%
New Jersey	69,469		11,203		80,672	14%
Arkansas	23,533		2,998		26,531	11%
Michigan	65,457		2,470		67,927	4%
<b>District of Columbia</b>	3,630		32		3,662	1%
<b>Kansas</b>	20,546		154		20,700	1%
Vermont	2,356		7		2,363	0.3%
<b>Total</b>	<b>588,596</b>		<b>246,542</b>		<b>835,138</b>	<b>30%</b>

Note: States in **bold** have a unified court system.

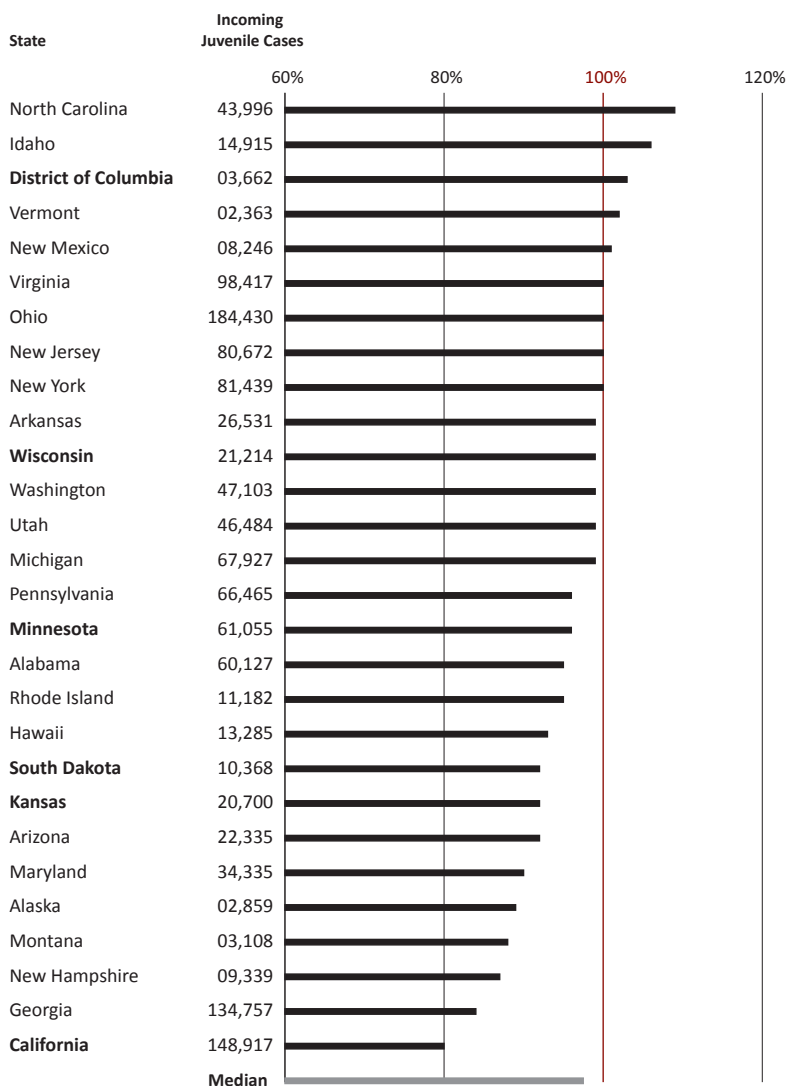
As shown in the adjacent graphic, reopened/reactivated cases comprised 30 percent of the 2006 aggregate incoming juvenile caseloads in the 12 states able to report an incoming juvenile caseload as defined by the *Guide*. The proportions of reopened/reactivated cases reported by individual states vary noticeably from a high of 54 percent in Florida to a low of less than 1 percent in Vermont. Some of this variation will be mitigated by the forthcoming introduction of the “set for review” status category in the *Guide*. At present, only Florida, New York, and Arkansas are known to be collecting data for cases set for review. However, Florida does not distinguish between those cases and cases that are unexpectedly reopened or reactivated after a period of inactivity as do New York and Arkansas. Hence, Florida’s reopened/reactivated caseload is overinclusive compared to other states. Both New York and Arkansas were able to extract their set for review cases from their reopened/reactivated caseloads in 2006, resulting in lower but more accurate and comparable data from both states.

■ The *State Court Guide to Statistical Reporting*

recommends collecting and reporting data in each of the caseload status categories (e.g., begin pending-active, begin pending-inactive, new filing, reopened case, etc.) to produce the clearest possible picture of juvenile caseloads. In the coming year, a new caseload status category called “set for review” will be introduced in the *Guide*. This will help to capture more completely the volume of work required by a court with regard to its juvenile caseload by providing a place to count cases that are *expected* to return to the court docket for periodic review.

A caseload clearance rate is calculated by dividing the number of outgoing cases for a certain time period by the number of incoming cases during the same period. A clearance rate greater than 100 percent indicates that the court reduced its pending caseload. For 2006, nine of 28 states (32 percent) reported juvenile clearance rates of 100 percent or higher. One of those states, Ohio, achieved a clearance rate of 100 percent despite having the second-highest population-adjusted rate of incoming juvenile cases. The median clearance rate for all 28 states was 98 percent.

 **Juvenile Caseload Clearance Rates in 28 States, 2006**



Note: States in **bold** have a unified court system.

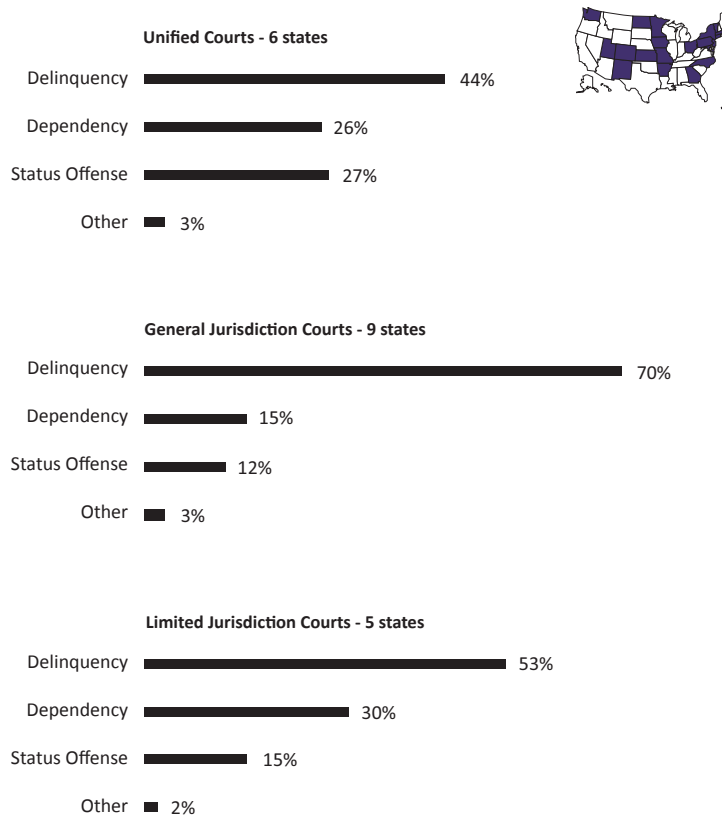
### Juvenile Clearance Rates in 15 States, by Case Subcategory, 2006

State	Total Juvenile	Delinquency	Dependency	Status Offense
North Carolina	109%	105%	129%	72%
Vermont	102	100	106	98
New Mexico	101	101	98	120
Ohio	100	100	102	99
New Jersey	100	100	92	102
New York	100	102	97	106
Arkansas	99	101	94	100
Washington	99	102	91	98
Utah	99	97	114	98
Pennsylvania	96	97	95	87
<b>Minnesota</b>	96	98	94	96
Hawaii	93	90	96	97
<b>Kansas</b>	92	93	101	76
Maryland	90	88	102	83
Georgia	84	87	82	81

Note: States in **bold** have a unified court system.

The adjacent table displays separate clearance rates for each of the three juvenile caseload subcategories in 15 states. No state reported a clearance rate of 100 percent or higher in every one of the juvenile subcategories. In some states, there are notable differences in clearance rates among subcategories, which may indicate a particular emphasis on the processing of some case types over others. For example, North Carolina reported a clearance rate of 129 percent for its dependency caseload, but 72 percent for its status offense caseload. Similarly, Kansas reported a 101 percent clearance rate for its dependency caseload, but 76 percent for its status offense caseload. Analyzing the data in this way can help courts identify opportunities for improved caseload management.

### Incoming Juvenile Caseload Composition in 20 States, by Jurisdiction, 2006

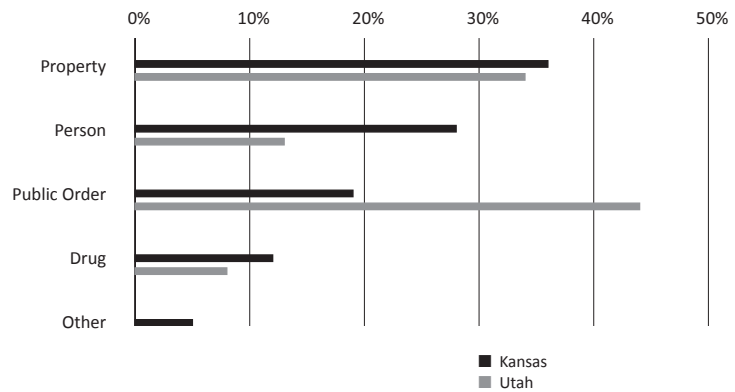


Variations in the composition of juvenile caseloads among unified, general, and limited jurisdiction courts are often explained by states opting to grant jurisdiction for delinquency, dependency, and status offense cases only to specific courts or court levels within their systems. However, an examination of juvenile caseload composition reveals that each of these three types of court is more alike than not. One apparent difference is the seemingly high percentage of status offense cases in unified courts. This result is driven by Minnesota, one of the six states with a unified court system included in the graphic to the left, which has both the largest caseload and the greatest proportion of status offense cases.

The delinquency caseload comprises property, person, drug, and public order cases, as well as a residual “other” case type. Two states reported a complete breakdown of these delinquency case types for 2006 as recommended in the *Guide*. The adjacent bar charts show that Kansas’s delinquency caseload is composed primarily of property offense cases, followed by person offenses, public order offenses, and finally drug offenses. In Utah, the proportion of these four case types within the delinquency caseload was somewhat different, with public order offenses the most common.



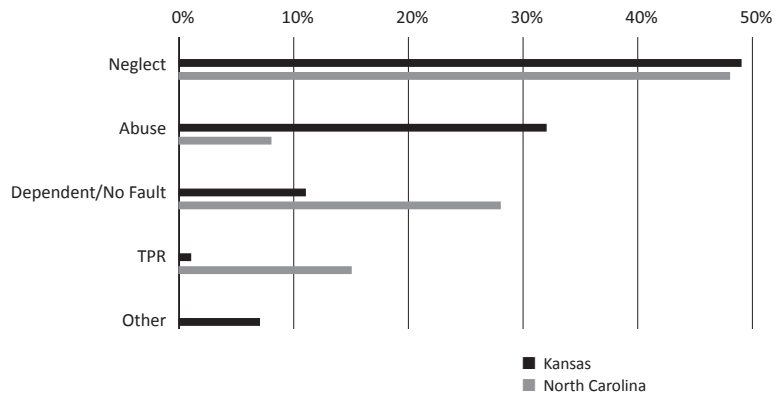
**Juvenile Delinquency Caseload Composition in Kansas and Utah, 2006**



The dependency caseload comprises abuse, neglect, dependent (no fault), and termination of parental rights (TPR) cases, as well as a residual “other” case type. In 2006, Kansas and North Carolina reported a complete dependency caseload composition as recommended in the *Guide*. In both states neglect cases were clearly the most frequent type of dependency case filed, constituting almost half of each state’s dependency caseload. However, the proportions of each of the remaining case types were noticeably different.



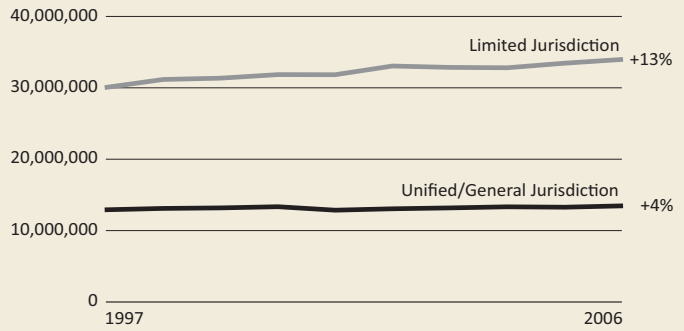
**Juvenile Dependency Caseload Composition in Kansas and North Carolina, 2006**



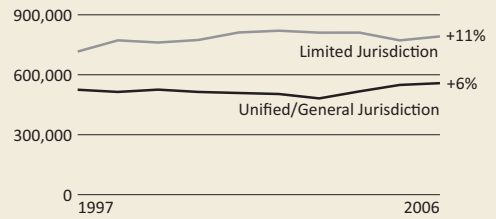



# Traffic/ Violations Caseloads

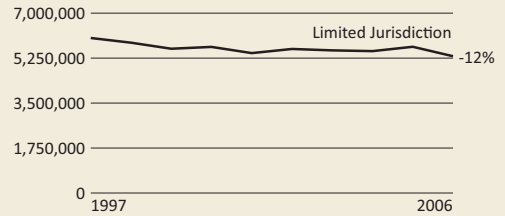
 **Total Incoming Traffic/Violations Caseloads in Selected States, 1997 - 2006**



 **ORDINANCE VIOLATIONS**



 **PARKING VIOLATIONS**

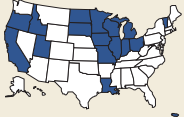


The states displayed in this section are included because the data shown are comparable and conform closely to the criteria defined in the *State Court Guide to Statistical Reporting*.



States included on previous page trend lines.

**Total Incoming Traffic/Violations Caseloads**



Unified/General Jurisdiction  
17 states



Limited Jurisdiction  
29 states

**ORDINANCE VIOLATIONS**



Unified/General Jurisdiction  
6 states



Limited Jurisdiction  
13 states

**PARKING VIOLATIONS**



Limited Jurisdiction  
10 states

Traffic, parking, and ordinance violations caseloads continue to have a marked presence in state trial courts. The adjacent table displays the number of incoming traffic/violations cases reported by the 24 states for which data were available. Population-adjusted rates are also included to facilitate comparisons between states. Among these 24 states, Texas reported the largest number of incoming cases by far at 9.5 million followed by California at 5.9 million. Nonetheless, New Jersey's population-adjusted rate of 66,793 is 65 percent greater than that of Texas and over 400 percent greater than that of California.

The range in population-adjusted rates is highlighted when comparing Puerto Rico and Hawaii. Puerto Rico has nearly four times as many miles of roadways and six times as many residents per square mile, yet the population-adjusted rate for Hawaii is over one hundred times greater than that of Puerto Rico. Hence, other local conditions such as driving patterns and traffic and parking enforcement practices may explain some of the differences observed in state caseloads.



#### Incoming Traffic/Violations Caseloads and Rates in 24 States, 2006

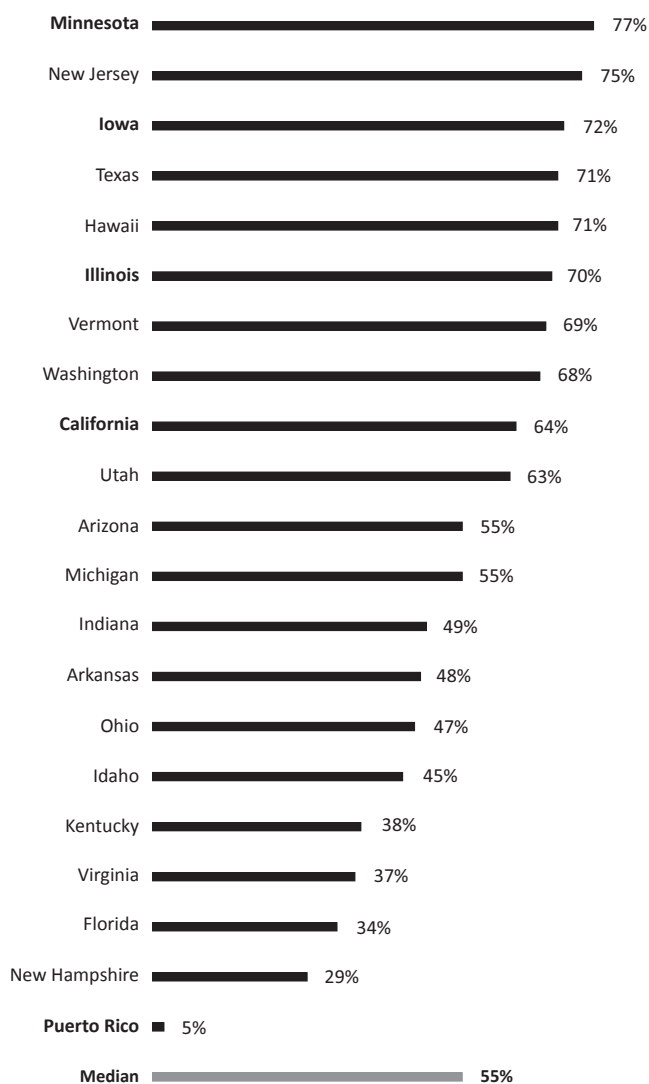
State	Total	Per 100,000 Population	Population Rank
New Jersey	5,788,351	66,793	11
Texas	9,473,470	40,472	2
Hawaii	431,202	33,724	43
<b>Iowa</b>	788,895	26,539	31
Montana	238,810	25,223	45
Washington	1,594,544	25,013	14
Arkansas	701,392	24,968	33
<b>Illinois</b>	3,077,336	24,085	5
Michigan	2,422,707	23,982	8
<b>Minnesota</b>	1,228,897	23,841	21
Vermont	140,093	22,567	50
Utah	533,402	20,678	35
Virginia	1,487,502	19,469	12
<b>South Dakota</b>	141,402	17,934	47
Ohio	1,965,071	17,142	7
<b>California</b>	5,928,507	16,355	1
Idaho	221,305	15,118	40
Indiana	896,373	14,222	15
Alaska	75,765	11,184	48
North Carolina	804,335	9,069	10
Kentucky	376,397	8,952	26
Florida	1,582,989	8,766	4
New Hampshire	76,430	5,826	42
Puerto Rico	12,718	324	27
<b>Median</b>		<b>20,074</b>	

Note: States in **bold** have a unified court system.



National Center for State Courts  
Traffic InfoCenter

<http://www.ncsconline.org/wc/CourTopics/ResourceCenter.asp?id=20>


**Traffic/Violations Cases as a Percentage of All Incoming Cases in 21 States, 2006**


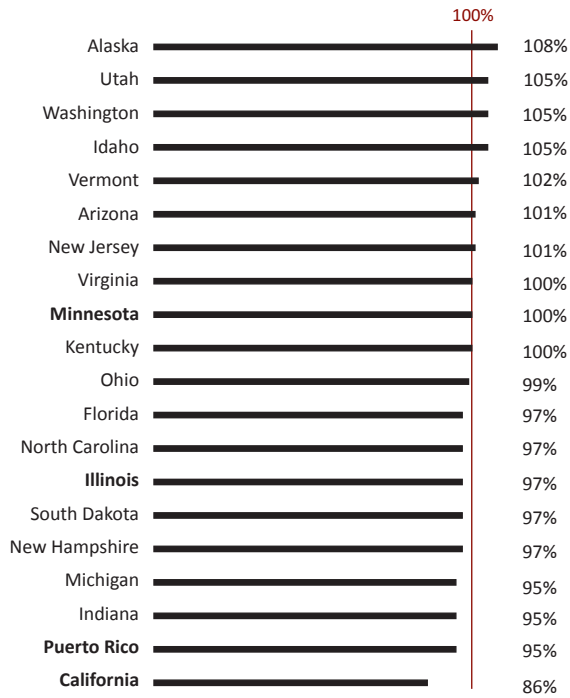
Note: States in **bold** have a unified court system

The adjacent table presents traffic/violations caseloads as a proportion of total incoming caseloads in 21 states. Twelve states reported traffic/violations caseloads in excess of 50 percent. Only one state, Minnesota, reported a proportion greater than 75 percent. The proportion of traffic/violations cases in Minnesota exceeded that of New Jersey despite having a much smaller traffic/violations caseload and a population-adjusted rate of about one-third the rate of New Jersey.

Despite the large volume of incoming traffic/violations cases in 2006, 10 of the 20 states reporting incoming and outgoing caseloads achieved a clearance rate of 100 percent or higher. New Jersey, with the highest population-adjusted rate and second highest proportion of traffic/violations caseloads, reported a clearance rate of 101 percent. Similarly, Minnesota achieved a clearance rate of 100 percent despite traffic/violations cases comprising 77 percent of the total caseload. Although traffic/violations cases often account for the majority of a state's trial court caseload, many states appear capable of efficiently managing and disposing of these cases.

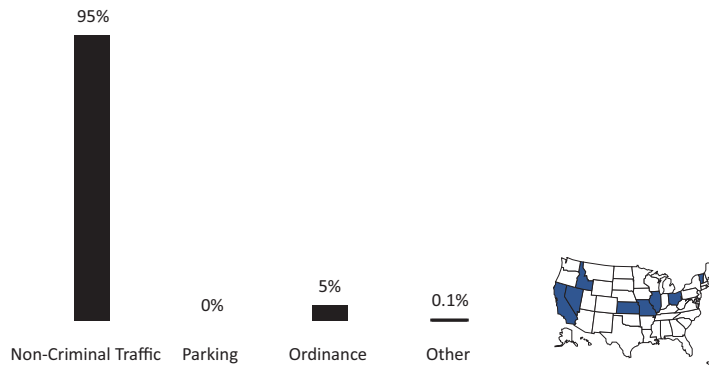


**Clearance Rates for Traffic/Violations Cases in 20 States, 2006**



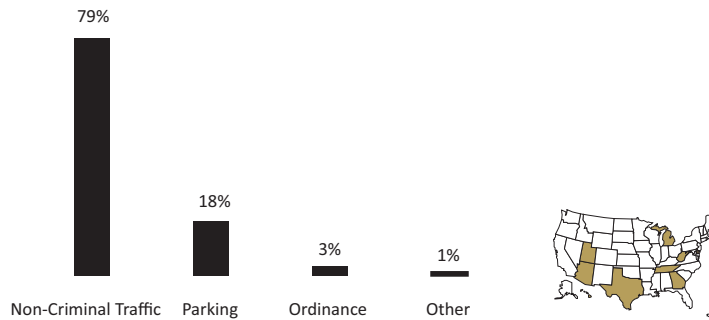
Note: States in **bold** have a unified court system

**Incoming Traffic/Violations Caseload Composition in Unified and General Jurisdiction Courts in 8 States, 2006**



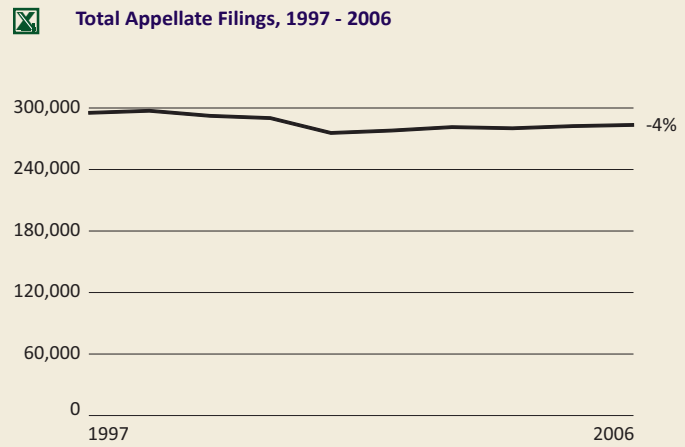
The traffic/violations caseload composition of general and unified courts for eight states is displayed in the graph on the left. Caseloads in these courts are primarily composed of non-criminal traffic cases, which represent 95 percent of all traffic/violations cases. Virtually all of the remaining caseload consists of local ordinance violations, indicating that courts of general jurisdiction typically do not handle parking violations cases.

**Incoming Traffic/Violations Caseload Composition in Limited Jurisdiction Courts in 9 States, 2006**



The second graph shows the traffic/violations caseload composition for limited jurisdiction courts in 9 states. When the caseload composition for unified and general jurisdiction courts is compared to that of limited jurisdiction courts, differences emerge. In general jurisdiction courts, 95 percent of the caseload is comprised of non-criminal traffic violations compared to 79 percent for limited jurisdiction courts. The lower percentage of non-criminal traffic violations results from a high proportion of parking violations, which are virtually nonexistent in general jurisdiction courts.

# Appellate Caseloads





National Center for State Courts  
Caseload Highlights  
Taxonomy of Appellate Courts

[http://www.ncsconline.org/D\\_Research/csp/Highlights/Vol3No1Taxom.pdf](http://www.ncsconline.org/D_Research/csp/Highlights/Vol3No1Taxom.pdf)

The primary function of state appellate courts is to review lower court determinations. In so doing, the appellate courts both correct irregularities in lower court decisions and provide overall direction in the law. In 39 states and Puerto Rico, an intermediate appellate court (IAC) provides the first level of appellate review in most cases, and a court of last resort (COLR) provides a second level of review. In certain types of cases in these states, such as those involving the death penalty, the COLR will hear appeals of trial court decisions directly. Eleven states and the District of Columbia have no intermediate appellate courts. In these states, the court of last resort provides the only level of appellate review.

Appellate courts can also entertain certain proceedings directly without the need for previous lower court activity. These cases, referred to as *original jurisdiction* proceedings, allow the appellate court to conduct the initial examination of a case or controversy. Habeas corpus, a court's review of the legality of a person's detention, is perhaps the most well-known type of original jurisdiction case.

Both appellate and original jurisdiction cases can be further divided into *mandatory* and *discretionary* jurisdiction cases. Mandatory jurisdiction cases are those in which an appellate court is required to hear the merits of the case. In contrast, the appellate court may choose whether or not to entertain a case that falls within its discretionary jurisdiction. If the court declines review of a discretionary appeal, the decision of the lower court stands.

The adjacent table displays appellate court caseloads in all states for 2006. The highest population-adjusted appellate caseloads were reported by the District of Columbia and Louisiana. The District of Columbia's high appellate caseload can be attributed, at least in part, to the fact that it is more like a city than a state. The large number of appeals in Louisiana may be explained by the Louisiana Court of Appeals' ability to review matters of both law and fact in civil cases. This is in contrast to most state appellate courts, which are permitted to review matters of law only.

In nearly all states, the majority of appellate cases fall within the courts' mandatory jurisdiction. States with no intermediate appellate court tend to report an especially high percentage of appeals as mandatory. In these states, the COLR is typically required to hear many appeals that in a two-tiered appellate system would be mandatory at the IAC level and discretionary at the COLR level.

Over the past decade, appellate court caseloads have decreased by 4 percent. Much of the decline between 1998 and 2001 can be attributed to changes in the mandatory jurisdiction of many courts in the late 1990s. However, the past five years have seen appellate filings rise less than one-half of one percent per year.


**Total Appellate Caseloads and Rates, 2006**

State	Cases	Appeals		Per 100,000 Population	Population Rank	Number of Justices	
		Percent Mandatory	Percent Discretionary			Court of Last Resort	Intermediate Appellate Court
<b>With an Intermediate Appellate Court</b>							
Louisiana	10,646	24%	76%	251	25	7	53
Puerto Rico	6,140	49	51	156	27	7	39
Florida	27,381	70	30	152	4	7	62
Oregon	4,830	77	23	131	28	7	10
Pennsylvania	15,234	82	18	123	6	7	24*
Ohio	13,781	86	14	120	7	7	68
New Jersey	10,401	72	28	120	11	7	34
Alabama	5,328	78	22	116	23	9	10*
Oklahoma	4,090	88	12	114	29	14*	12
Kansas	3,022	71	29	110	34	7	11
Alaska	738	76	24	109	48	5	3
Michigan	10,469	38	62	104	8	7	28
Nebraska	1,715	80	20	97	39	7	6
Idaho	1,357	81	19	93	40	5	3
Washington	5,875	65	35	92	14	9	24
Texas	21,325	86	14	91	2	18*	80
Kentucky	3,694	80	20	88	26	7	14
Illinois	11,135	80	20	87	5	7	54
Colorado	4,141	69	31	87	22	7	16
California	31,411	43	57	87	1	7	105
New York	16,496	77	23	86	3	7	71*
Missouri	4,864	89	11	83	18	7	32
Hawaii	1,062	90	10	83	43	5	6
Arkansas	2,322	74	26	83	33	7	12
New Mexico	1,605	63	37	83	37	5	10
Arizona	4,973	76	24	81	16	5	22
Virginia	5,967	11	89	78	12	7	11
Wisconsin	4,127	75	25	74	20	7	16
Mississippi	2,051	70	30	71	32	9	10
South Carolina	3,054	69	31	71	24	5	9
Iowa	2,012	100	0	68	31	7	9
Utah	1,644	98	2	64	35	5	7
Maryland	3,523	66	34	63	19	7	13
Minnesota	3,227	75	25	63	21	7	16
North Dakota	383	100	0	60	49	5	3
Indiana	3,680	75	25	58	15	5	16*
Tennessee	3,474	67	33	57	17	5	24*
Georgia	5,302	62	38	57	9	7	12
Massachusetts	3,635	59	41	56	13	7	25
Connecticut	1,684	70	30	48	30	7	10
North Carolina	3,344	57	43	38	10	7	15
<b>Median</b>				<b>86</b>			
<b>Without an Intermediate Appellate Court</b>							
District of Columbia	1,687	99%	1%	288	51	9	
West Virginia	3,631	0	100	201	38	5	
Vermont	548	95	5	88	50	5	
Nevada	2,185	100	0	88	36	7	
Montana	821	85	15	87	45	7	
Delaware	688	100	0	81	46	5	
New Hampshire	964	0	100	73	42	5	
Wyoming	319	100	0	62	52	5	
South Dakota	451	85	15	57	47	5	
Maine	709	81	19	54	41	7	
Rhode Island	341	67	33	32	44	5	
<b>Median</b>				<b>81</b>			

\*Indicates justices sit on two separate courts (e.g. Supreme Court and Court of Criminal Appeals)




**Percentage Change in Appellate Caseloads, 1997-2006**

State	Cases Filed 2006	Percent Increase 1997-2006	Percent Increase 2005-2006
South Carolina	3,054	60%	7%
Puerto Rico	6,140	36	8
Idaho	1,357	35	5
Delaware	688	25	18
North Carolina	3,344	23	-3
Utah	1,644	21	6
Nevada	2,185	19	6
West Virginia	3,631	17	20
Hawaii	1,062	16	-6
Massachusetts	3,635	15	7
Indiana	3,680	12	0
Colorado	4,141	10	-2
Florida	27,381	10	-5
Washington	5,875	9	-8
Maryland	3,523	7	8
South Dakota	451	7	22
Mississippi	2,051	6	-26
Texas	21,325	6	6
New Hampshire	964	5	3
Nebraska	1,715	4	-10
Virginia	5,967	3	1
Minnesota	3,227	3	-1
Kansas	3,022	-2	5
Maine	709	-2	13
Oklahoma	4,090	-4	14
Missouri	4,864	-4	4
North Dakota	383	-5	-19
Connecticut	1,684	-6	22
Vermont	548	-6	3
California	31,411	-6	2
Montana	821	-6	11
Georgia	5,302	-6	3
Alabama	5,328	-6	-6
Michigan	10,469	-7	4
New Jersey	10,401	-9	1
New Mexico	1,605	-9	8
Ohio	13,781	-9	-2
New York	16,496	-13	0
Illinois	11,135	-14	-3
Pennsylvania	15,234	-14	-1
Arizona	4,973	-14	-4
Iowa	2,012	-15	-6
Alaska	738	-15	-20
Wisconsin	4,127	-16	0
Wyoming	319	-16	17
Tennessee	3,474	-18	-9
Oregon	4,830	-18	-1
Kentucky	3,694	-19	-2
District of Columbia	1,687	-20	2
Louisiana	10,646	-20	2
Arkansas	2,322	-39	3
Rhode Island	341	-50	-1

The adjacent table shows the percentage change in appellate caseloads between both 1997 and 2006, and 2005 and 2006, for each state. This display tells a somewhat different story than the aggregated trend data and reveals a 10-year caseload increase as high as +60 percent (South Carolina) and a 10-year caseload decrease as low as -50 percent (Rhode Island).

South Carolina's increase over the last decade can be attributed to a surge in post-conviction relief requests as well as improved statistical reporting practices in their appellate courts. The decrease reported by Rhode Island can be attributed to changes in the handling of *pro hac vice* admission petitions (allowing out-of-state attorneys to temporarily appear in the state's court for a case), which rose sharply in the late 1990s only to subsequently fall.

The relative stability shown in the aggregate trend line demonstrates the affect of the larger states and their comparatively large caseloads. The four largest states, California, Texas, New York, and Florida, combined to equal about one-third of the total appellate court caseload, but none of these states reported an annualized increase or decrease greater than 1.5 percent.

**CSP**  
Court Statistics Project

National Center for State Courts  
The Effects of Jurisdictional  
Change on Appellate Courts from  
*Examining the Work of State Courts, 1999-2000*

[http://www.ncsconline.org/D\\_Research/csp/1999-2000\\_Files/1999-2000\\_Part\\_II\\_Section.pdf](http://www.ncsconline.org/D_Research/csp/1999-2000_Files/1999-2000_Part_II_Section.pdf)

## The *State Court Guide to Statistical Reporting*

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### and the Appellate Courts

When it was first introduced in 2003, the *State Court Guide to Statistical Reporting* was intended to “provide a framework for states that captures and makes comparable the most important data elements of court caseloads.” The Court Statistics Project staff has worked with a committee of the National Conference of Appellate Court Clerks (NCACC) for the past several years to design the *Guide’s* new appellate section. Beginning with the collection of 2007 data, the *Guide* will take the place of the *State Court Model Statistical Dictionary*, which had previously been the basis for reporting appellate caseloads.

*State Court Model Statistical Dictionary:***Mandatory Jurisdiction Cases****Civil****Criminal**

- Capital Criminal
- Other Criminal

**Juvenile****Administrative agency****Unclassified****Disciplinary matters****Original proceedings****Interlocutory decisions****Advisory opinions***State Court Guide to Statistical Reporting:***Appeal By Right****Civil**

- Tort, Contract, and Real Property
- Probate
- Family
- Juvenile
- Civil Interlocutory
- Other Civil

**Criminal**

- Felony (non-Death Penalty)
- Misdemeanor
- Criminal Interlocutory
- Other Criminal

**Administrative Agency**

- Administrative Agency
- Interlocutory

**Other**

- Other Appeals
- Other Interlocutory

**Case Types**

Perhaps the most critical differential for the new *Guide* is the consistency in distinguishing cases by more than simply the mandatory or discretionary jurisdiction criterion. Most cases will continue to be separated (as “By Right” and “By Permission” appeals) but with greater detail. For example, courts that had been reporting their criminal cases will be asked to break out those appeals into felony (non-death penalty), misdemeanor, interlocutory, and other criminal appeals. Similar additional details will be requested for each of the major case types.

*State Court Guide to Statistical Reporting:***Death Penalty****By Right**

- Direct Appeal
- Interlocutory

**By Permission**

- Interlocutory
- Other Appeal

**Post-Judgment**

- Habeas Corpus
- Other Writs/Actions

**Original Proceedings/Other Appellate Court Matters****Application for a Writ**

- Habeas Corpus
- Other Writ Application

**Certified Question****Advisory Opinion****Bar/Judiciary Proceedings**

- Bar Discipline
- Bar Admission
- Bar Eligibility
- Judicial Qualification
- Other Bar/Judiciary Proceeding

Death Penalty (formerly Capital criminal) cases will be treated separately and in greater detail than in the past. Because of their unique status and handling by state appellate courts, additional information will be requested as to Post-Judgment activity (habeas corpus being the most common), By Right appeals, and By Permission appeals.

Original Proceedings and other matters handled by the appellate courts will now be treated as a fourth major case category, as shown at left.

## Manner of Disposition

The *Guide* will seek to report manner of disposition for *individual case types* classified according to the type of dispositive action taken by the court.

*State Court Model Statistical Dictionary:*

### Manner of Disposition

**Pre-argument disposition**  
(dismissed/withdrawn/settled)

**Signed opinion**

**Per curiam opinion**

**Decision without opinion**  
(memo/order)

**Transferred**

**Other**

*State Court Guide to Statistical Reporting:*

### Appeal By Right Cases

**Decided**

**Dismissed Prior to Decision**

**Withdrawn**

**Settled**

**Transferred**

**Other Resolution**

## Opinion Types

Having determined the dispositive action, the *Guide* will also seek to report the type of opinion. The new Opinion Type section will include for each case type Full Opinion, Memorandum, Summary Opinion/Dispositional Order, and Other Opinion. The new Full Opinion category will reflect those opinions (whether per curiam, “signed” or otherwise) that include expansive discussion and elaboration of the merits of the case and that may include statements of fact, issues, and the court’s reasoning.

*State Court Guide to Statistical Reporting:*

### Opinion Type

**Full Opinion**

**Memorandum**

**Summary Opinion/Dispositional Order**

**Other Opinion**

## Case Outcomes

Each case type will be reported by case outcomes. This is particularly critical for Appeal By Permission cases in which the outcome may be Permission Denied. The new case outcomes also allow for recording of those cases in which the court ultimately dismisses a case and finds the case should never have been accepted or that at some point in the review process a procedural defect occurred.

*State Court Guide to Statistical Reporting:*

### Case Outcome

**Permission Denied**

**Affirmed**

**Reversed**

**Modified**

**Dismissed**

**Other Outcomes**

### Examples of Applying the *Guide* for Reporting Appellate Cases

**Case Type:** ..... By Permission-Civil-Probate  
**Manner of Disposition:** ..... Decided  
**Opinion Type:** ..... Summary Opinion/Dispositional Order  
**Case Outcome:** ..... Permission Denied

A trial court case involving a dispute over the interpretation of a will involving a \$10,000 estate is appealed to the state's intermediate appellate court. A state statute grants the intermediate appellate court discretionary jurisdiction on all civil cases involving less than \$50,000. The intermediate appellate court exercises its discretion and opts not to hear the merits of the case and issues a one-sentence order: "Leave to appeal denied."

**Case Type:** ..... By Right-Civil-Tort, Contract and Real Property  
**Manner of Disposition:** ..... Dismissed Prior to Decision  
**Opinion Type:** ..... Summary Opinion/Dispositional Order  
**Case Outcome:** ..... Other Outcome

In the same state, a person is found liable at the trial court for breach of contract and has a judgment entered against her for \$100,000 (i.e., above the \$50,000 threshold for mandatory jurisdiction). She files her notice of appeal but never follows up with any other activity. After the deadline to file the record on appeal passes, the court enters an order dismissing the appeal for failure to prosecute.

**Case Type:** ..... Death Penalty-By Right-Direct Appeal  
**Manner of Disposition:** ..... Decided  
**Opinion Type:** ..... Full Opinion  
**Case Outcome:** ..... Modified

A person is convicted of murder and sentenced to death. The state's constitution requires that any death sentence be automatically appealed and heard by the court of last resort. The court of last resort hears the case and determines in a lengthy opinion detailing the trial court proceedings that while the conviction phase of the case was properly conducted, errors in the sentence phase require the death sentence be set aside.

# Appendices

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INDEX OF STATES INCLUDED IN SECTION GRAPHICS

COURT STATISTICS PROJECT METHODOLOGY

STATE COURT CASELOAD STATISTICS, 2007

COURTOOLS

## Index of States Included in Section Graphics

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	
<b>Overview</b>																					
Total Incoming Cases in State Courts, All States, 1997-2006	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Total Incoming Cases in State Courts by Case Category, All States, 1997-2006	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Incoming Caseload Composition in State Courts, 2006 (in millions of cases)	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Total Incoming Cases in State Courts, by Jurisdiction, 2006 (in millions)	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Judicial Officers in General and Limited Jurisdiction Courts, 1997-2006	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Incoming Cases per Judicial Officer, by Jurisdiction, 1997-2006	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Full-Time Judges in Unified and General Jurisdiction Courts, 2006	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
States That Reported Reopened/Reactivated Caseloads in One or More Case Categories, 2006	•		•	•	•				•	•	•			•		•	•		•		•
General Jurisdiction Courts Reporting Pending Caseloads, 2006 (Civil)				•	•		•		•			•	•	•	•		•				•
General Jurisdiction Courts Reporting Pending Caseloads, 2006 (Domestic Relations)				•	•		•		•			•	•	•	•		•				•
General Jurisdiction Courts Reporting Pending Caseloads, 2006 (Criminal)				•	•		•		•			•	•	•	•		•				•
General Jurisdiction Courts Reporting Pending Caseloads, 2006 (Juvenile)				•	•		•		•			•	•	•	•		•				•
General Jurisdiction Courts Reporting Pending Caseloads, 2006 (Traffic)							•		•				•	•	•						•
<b>Total Appearances in Overview Section</b>	<b>8</b>	<b>7</b>	<b>12</b>	<b>12</b>	<b>8</b>	<b>7</b>	<b>12</b>	<b>7</b>	<b>13</b>	<b>8</b>	<b>8</b>	<b>11</b>	<b>12</b>	<b>13</b>	<b>12</b>	<b>8</b>	<b>11</b>	<b>7</b>	<b>8</b>	<b>7</b>	
<b>Civil</b>																					
Total Incoming Civil Caseloads in Selected States, 1997-2006	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Incoming Tort Caseloads in Selected States, 1997-2006	•	•	•		•	•				•		•	•		•		•				•
Incoming Contract Caseloads in Selected States, 1997-2006			•			•	•	•	•			•					•				
Incoming Real Property Caseloads in Selected States, 1997-2006			•			•	•			•		•		•							•
Incoming Small Claims Caseloads in Selected States, 1997-2006	•	•	•	•	•	•	•		•	•	•	•	•	•	•	•	•	•	•	•	•
Incoming Probate/Estate Caseloads in Selected States, 1997-2006	•	•	•	•	•	•	•		•	•	•	•	•	•	•	•	•	•	•	•	•
Incoming Automobile Tort Caseloads in Selected States, 1997-2006			•		•	•	•			•		•									
Incoming Medical Malpractice Caseloads in Selected States, 1997-2006			•				•														
Incoming Product Liability Caseloads in Selected States, 1997-2006							•			•											
Incoming Guardianship Caseloads in Selected States, 1997-2006					•		•	•	•	•	•	•	•		•		•				•
Incoming Conservatorship/Trusteeship Caseloads in Selected States, 1997-2006							•	•	•	•	•				•	•	•				•
Incoming Probate/Wills/Intestate Caseloads in Selected States, 1997-2006			•		•	•	•	•	•	•	•		•		•	•	•	•	•	•	•
Incoming Civil Caseloads in 32 States, 2006	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Reopened/Reactivated Civil Caseloads in 15 Unified and Gen. Jurisdiction Courts, 2006 (Chart/ Table)									•	•				•			•				
Civil Clearance Rates in 37 Unified and General Jurisdiction Courts, 2006	•		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Composition of Incoming Civil Caseloads in 6 Unified Courts, 2006							•									•					
General Civil Caseload Composition in 23 States, 2006				•		•	•					•				•	•	•			•
Incoming Tort Caseloads in 31 Unified and General Jurisdiction Courts, 2006	•	•	•		•	•				•		•	•		•	•	•	•	•	•	•
Composition of Incoming Tort Caseloads in 9 Unified and General Jurisdiction Courts, 2006							•					•				•	•				
Incoming Medical Malpractice and Product Liability Cases in Mississippi Circuit Court, 1997-2006							•				•						•				
Composition of Incoming Malpractice Caseloads in 6 Unified and General Jurisdiction Courts, 2006							•				•					•					
Incoming Medical Malpractice Caseloads in 14 Unified and General Jurisdiction Courts, 2006				•			•					•				•	•				
Incoming Contract Caseloads in 27 Unified and General Jurisdiction Courts, 2006	•	•	•	•	•	•	•		•		•		•	•	•	•	•	•	•	•	•
Incoming Small Claims Caseloads in 31 States, 2006	•	•	•	•	•	•	•		•	•		•	•	•	•	•	•	•	•	•	•
Incoming Non-Domestic Relations Restraining Order Caseloads in 11 States, 2006			•			•						•					•				
<b>Total Appearances in Civil Section</b>	<b>3</b>	<b>9</b>	<b>16</b>	<b>10</b>	<b>7</b>	<b>17</b>	<b>22</b>	<b>7</b>	<b>12</b>	<b>15</b>	<b>5</b>	<b>18</b>	<b>10</b>	<b>8</b>	<b>11</b>	<b>12</b>	<b>19</b>	<b>10</b>	<b>2</b>	<b>5</b>	

Note: States with unified trial courts are highlighted in red.

MD	MA	MI	MN	MS*	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK*	OR	PA	PR	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY*	Total		
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6	11	17	16	19	16	6	6	8	19	18	11	13	8	17	15	0	13	2	10	18	6	2	11	14	14	10	1	14	8	19	0					



Index of States Included in Section Graphics, *continued*

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	
<b>Domestic Relations</b>																					
Total Incoming Domestic Relations Caseloads in Selected States, 1997-2006	•	•	•	•	•	•	•		•	•	•	•	•	•	•	•	•	•	•	•	•
Incoming Divorce Caseloads in Selected States, 1997-2006		•	•	•	•	•	•			•		•		•	•	•				•	•
Incoming Custody Caseloads in Selected States, 1997-2006						•															•
Incoming Support Caseloads in Selected States, 1997-2006	•			•		•	•			•		•	•		•		•				•
Incoming Adoption Caseloads in Selected States, 1997-2006		•	•	•		•			•			•	•	•	•		•				•
Incoming Paternity Caseloads in Selected States, 1997-2006					•		•		•			•			•		•				•
Incoming Civil Protection Order Caseloads in Selected States, 1997-2006				•	•			•	•	•		•	•	•	•	•	•	•	•		•
Incoming Domestic Relations Caseloads in 36 States, by Jurisdiction, 2006	•		•	•	•	•			•	•	•	•	•	•	•	•	•	•			•
Incoming Domestic Relations Caseloads and Rates in 36 States, 2006	•		•	•	•	•			•	•	•	•	•	•	•	•	•	•			•
Incoming Domestic Relations Caseloads in 14 States, by Jurisdiction, 2006	•		•			•							•		•						•
Reopened/Reactivated Domestic Relations Caseloads in 9 States, 2006									•	•				•							
Reopened/Reactivated Domestic Relations Caseloads in 9 States, 2006									•	•				•							
Incoming Domestic Relations Composition in 28 States, 2006	•	•	•	•		•										•	•	•	•	•	•
Domestic Relations Clearance Rates in 31 States, 2006	•	•	•	•	•				•	•		•	•	•	•		•	•			
<b>Total Appearances in Domestic Relations Section</b>	<b>7</b>	<b>5</b>	<b>9</b>	<b>10</b>	<b>5</b>	<b>9</b>	<b>5</b>	<b>1</b>	<b>9</b>	<b>9</b>	<b>3</b>	<b>9</b>	<b>8</b>	<b>9</b>	<b>11</b>	<b>6</b>	<b>9</b>	<b>4</b>	<b>10</b>	<b>3</b>	
<b>Criminal</b>																					
Total Incoming Criminal Caseloads in Selected States, 1997-2006	•	•	•	•	•	•		•	•	•	•	•	•	•	•	•	•	•	•	•	•
Incoming Felony Caseloads in Selected States, 1997-2006	•	•	•	•	•	•	•		•	•		•	•	•	•	•	•				•
Incoming Misdemeanor Caseloads in Selected States, 1997-2006				•	•	•		•	•	•	•		•		•	•	•				•
Incoming Criminal Caseloads and Rates in 23 States, 2006		•			•	•			•			•	•	•	•	•	•	•	•		•
Reopened/Reactivated Criminal Caseloads in Unified and Gen. Jurisdiction Courts in 12 States, 2006														•							•
Reopened/Reactivated Criminal Caseloads as a Percentage of Total Crim. Caseloads in 12 States, 2006														•							•
Criminal Caseload Composition in 37 States, by Jurisdiction, 2006		•	•	•	•	•		•	•		•	•	•		•	•	•	•	•	•	•
Incoming Felony Caseloads and Rates in Unified and General Jurisdiction Courts in 34 States, 2006	•	•			•	•	•		•			•	•	•	•	•	•				•
Felony Clearance Rates in Unified and General Jurisdiction Courts in 31 States, 2006	•	•	•	•	•	•	•		•			•	•	•	•		•				•
Felony Caseload Composition in Unified and General Jurisdiction Courts in 5 States, 2006												•									•
Incoming Misdemeanor Caseloads and Rates in 12 States, 2006					•				•						•	•	•				•
Misdemeanor Clearance Rates in 25 States, 2006		•			•				•			•	•	•	•		•	•	•		•
<b>Total Appearances in Criminal Section</b>	<b>4</b>	<b>7</b>	<b>5</b>	<b>5</b>	<b>9</b>	<b>6</b>	<b>3</b>	<b>3</b>	<b>9</b>	<b>3</b>	<b>3</b>	<b>8</b>	<b>8</b>	<b>7</b>	<b>9</b>	<b>7</b>	<b>12</b>	<b>4</b>	<b>7</b>	<b>1</b>	
<b>Juvenile</b>																					
Total Incoming Juvenile Caseloads in Selected States, 1997-2006	•	•	•	•	•	•	•	•	•	•	•		•	•	•	•	•	•	•	•	•
Incoming Juvenile Delinquency Caseloads in Selected States, 1997-2006					•		•	•	•		•	•		•	•	•	•	•	•		•
Incoming Juvenile Dependency Caseloads in Selected States, 1997-2006				•	•	•	•		•	•	•	•	•	•							•
Incoming Status Offense Caseloads in Selected States, 1997-2006				•			•					•			•						•
Incoming Juvenile Caseloads and Rates in 39 States, 2006	•	•	•	•	•	•	•		•	•	•	•	•			•	•	•	•	•	•
Incoming Juvenile Caseloads in 12 states, 2006					•	•			•	•											•
Juvenile Caseload Clearance Rates in 28 States, 2006	•	•	•	•	•				•		•	•	•								•
Juvenile Clearance Rates in 15 States, by Case Subcategory, 2006					•						•	•									•
Incoming Juvenile Caseload Composition in 20 States, by Jurisdiction, 2006					•	•	•				•					•	•				•
Juvenile Delinquency Caseload Composition in Kansas and Utah, 2006																	•				
Juvenile Dependency Caseload Composition in Kansas and North Carolina, 2006																					•
<b>Total Appearances in Juvenile Section</b>	<b>3</b>	<b>3</b>	<b>4</b>	<b>9</b>	<b>5</b>	<b>4</b>	<b>6</b>	<b>2</b>	<b>6</b>	<b>4</b>	<b>7</b>	<b>6</b>	<b>4</b>	<b>3</b>	<b>3</b>	<b>4</b>	<b>9</b>	<b>0</b>	<b>5</b>	<b>2</b>	

Note: States with unified trial courts are highlighted in red.

MD	MA	MI	MN	MS*	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK*	OR	PA	PR	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY*	Total
•	•		•	•		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•			•	•	•	•	•	•	•	•	•	44
•		•	•		•			•	•	•	•	•		•	•		•	•	•				•	•	•	•	•	•	•	•	•	35
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		•	•		•									•	•		•	•						•	•	•		•			21	
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9	5	11	7	2	8	4	5	8	9	8	11	8	4	13	11	0	9	7	4	4	0	0	9	2	10	13	3	10	4	10	1	

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2	6	8	7	0	9	1	1	2	4	7	11	3	7	8	9	0	7	3	11	9	4	4	8	7	9	10	7	9	5	4	2

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		•								•	•	•	•	•	•									•							12	
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8	6	5	8	1	5	4	2	3	6	8	9	9	9	9	7	9	0	2	6	1	4	0	3	4	3	9	9	4	8	4	4	0

**Index of States Included in Section Graphics, *continued***

	AL	AK	AZ	AR	CA	CO	CT	DE	DC	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME
<b>Traffic/Violations</b>																				
Total Incoming Traffic/Violations Caseloads in Selected States, 1997-2006	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Incoming Ordinance Violation Caseloads in Selected States, 1997-2006			•	•	•	•			•	•	•	•		•	•		•			•
Incoming Parking Violations Caseloads in Selected States, 1997-2006			•										•							•
Incoming Traffic/Violations Caseloads and Rates in 24 States, 2006	•			•	•					•		•	•	•	•	•			•	
Traffic/Violations Cases as a Percentage of All Incoming Cases in 21 States, 2006			•	•	•					•		•	•	•	•	•			•	
Clearance Rates for Traffic/Violations Cases in 20 States, 2006	•	•			•					•			•	•	•				•	
Incoming Traffic/Violations Caseload Comp. in Unified and Gen. Jurisdiction Courts in 8 States, 2006					•								•	•			•			
Incoming Traffic/Violations Caseload Composition in Limited Jurisdiction Courts in 9 States, 2006			•					•			•	•								
<b>Total Appearances in Traffic Section</b>	<b>0</b>	<b>3</b>	<b>6</b>	<b>4</b>	<b>6</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>5</b>	<b>3</b>	<b>5</b>	<b>5</b>	<b>6</b>	<b>5</b>	<b>3</b>	<b>2</b>	<b>4</b>	<b>2</b>	<b>0</b>
<b>Appellate</b>																				
Total Appellate Filings, 1997-2006	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Total Appellate Caseloads and Rates, 2006	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Percentage Change in Appellate Caseloads, 1997-2006	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
<b>Total Appearances in Appellate Section</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>
<b>Grand Total Appearances</b>	<b>28</b>	<b>37</b>	<b>55</b>	<b>53</b>	<b>43</b>	<b>48</b>	<b>51</b>	<b>25</b>	<b>53</b>	<b>47</b>	<b>32</b>	<b>60</b>	<b>50</b>	<b>49</b>	<b>54</b>	<b>43</b>	<b>65</b>	<b>32</b>	<b>37</b>	<b>21</b>

Note: States with unified trial courts are highlighted in red.

MD	MA	MI	MN	MS*	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK*	OR	PA	PR	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY*	Total	
	•	•	•		•				•	•	•	•	•	•	•		•	•	•	•	•	•		•	•	•	•	•	•	•	•	•	38
					•				•		•							•								•						17	
		•							•	•	•	•												•								10	
		•	•				•		•	•		•			•				•				•	•	•	•	•	•	•	•	•	•	24
		•	•						•	•					•				•					•	•	•	•	•	•	•	•	•	21
		•	•						•	•				•	•				•				•		•	•	•	•	•	•	•	•	20
					•			•							•											•						8	
		•																					•	•	•					•		9	
0	1	6	4	0	3	1	0	1	6	5	3	2	3	1	5	0	1	2	4	1	1	3	1	5	5	6	4	6	2	1	0		
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•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	52
•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	52
3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	
35	42	63	52	33	56	26	24	33	59	61	60	49	43	57	65	10	47	35	46	46	23	22	44	46	57	64	30	58	37	54	12		

## **Court Statistics Project Methodology**

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Information for the CSP's national caseload databases comes from published and unpublished sources supplied by state court administrators and appellate court clerks. Published data are typically taken from official state court annual reports and Web sites. Data from published sources are often supplemented by unpublished data received from the state courts in many formats, including internal management memoranda and computer-generated output. States report and verify data electronically through spreadsheet templates provided by the Court Statistics Project.

The CSP data collection effort to build a comprehensive statistical profile of the work of state appellate and trial courts nationally is underway throughout the year. Extensive telephone contacts and follow-up correspondence are used to collect missing data, confirm the accuracy of available data, and verify the legal jurisdiction of each court. Information is also collected on the number of judges per court or court system (from annual reports, offices of state court administrators, and appellate court clerks); the state population (based on U.S. Bureau of the Census revised estimates); and special characteristics regarding subject matter jurisdiction and court structure.

*Examining the Work of State Courts, 2007* is intended to enhance the potential for meaningful state court caseload comparisons. Because this volume examines 50 states, the District of Columbia, and the Commonwealth of Puerto Rico, and thus 52 different court systems, the biggest challenge is to organize the data for valid state-to-state comparison among states and over time.

The Court Statistics Project can provide advice and clarification on the use of the statistics from this and previous reports. Project staff can also provide the full range of information available from each state. Most states provide far more detailed caseload information than can be presented in project publications. Information from the CSP is also available on the NCSC Web site at [www.courtstatistics.org](http://www.courtstatistics.org).

Comments, corrections, suggestions, and requests for information from readers of *Examining the Work of State Courts, 2007*, *State Court Caseload Statistics, 2007*, and the *Caseload Highlights* series are invited; please submit on the form on the CSP Web page [www.courtstatistics.org](http://www.courtstatistics.org).

## **State Court Caseload Statistics, 2007**

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The analysis presented in *Examining the Work of State Courts, 2007* is derived in part from the data found in *State Court Caseload Statistics, 2007*. *State Court Caseload Statistics* is published exclusively online at the Court Statistics Project's Web site [www.courtstatistics.org](http://www.courtstatistics.org). This Web-based format allows users to take advantage of improved functionality and make possible electronic access to the data.

The information and tables found in *State Court Caseload Statistics, 2007* are intended to serve as a detailed reference on the work of the nation's state courts, and are organized in the following manner:

**State Court Structure Charts** display the overall structure of each state court system on a one-page chart. Each state's chart identifies all the courts in operation in that state during 2006, describes their geographic and subject matter jurisdiction, notes the number of authorized judicial positions, indicates whether funding is primarily local or state, outlines the routes of appeal between courts, and provides links to each court with its own Web site.

**Jurisdiction and State Court Reporting Practices** review basic information that affects the comparability of caseload information reports by the courts. Information is also provided that defines what constitutes a case in each court, making it possible to determine which appellate and trial courts compile caseload statistics on a similar basis. Finally, the numbers of judges and justices working in state trial and appellate courts are displayed.

**State Court Caseload Tables** contain detailed information from the nation's state courts. Six tables detail information on appellate courts, and an additional six tables contain data on trial courts. Other tables describe trends in the volume of incoming and outgoing cases for the period 1997-2006. The tables also indicate the extent of standardization in the data for each state and the comparability of caseload information across the states.

## CourTools

**Performance Measures** – Courts have long sought a set of balanced and realistic performance measures that are practical to implement and use. The ten *CourTools* performance measures were developed by the National Center for State Courts to meet that need.

Each of the ten *CourTools* measures follows a similar sequence, with steps supporting one another. These steps include a clear definition and statement of purpose, a measurement plan with instruments and data collection methods, and strategies for reporting results. Published in a visual format, *CourTools* uses illustrations, examples, and jargon-free language to make the measures easy to understand.

**Online Discussion and Meeting Space** – The NCSC has also created a *CourTools* online meeting place. You can join the online discussions taking place there through the Join Now link at [www.courttools.org](http://www.courttools.org). This online discussion space will facilitate the exchange of information among all the courts, Judicial Councils, and AOCs thinking about or engaged in performance measurement. Members can:

- Post questions and comments in threaded discussions about the logistical, political, and practical issues that must be addressed in implementing performance measures.
- View informational videos on key topics.
- Inform colleagues about upcoming performance measurement events in your court by using the Calendar. The NCSC will post regional and national meetings of interest.

**Analysis Templates** – An additional implementation toolset created by NCSC is the ten Excel templates for data entry and analysis, also available on the *CourTools* Web site. These templates, which correspond to the ten measures, automatically generate graphs and tables that tell the story of your court, based on your data.

NCSC *CourTools* Home Page  
[www.courttools.org](http://www.courttools.org)



To learn more, visit *CourTools* on the Web at [www.courttools.org](http://www.courttools.org). To talk about implementing *CourTools* in your court, call NCSC's Court Consulting Services at 800-466-3063.



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